

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-10680-2020 (O&M)

Date of decision: 16.03.2021

Inderpreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Gaurav Gupta, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of anticipatory bail in FIR No.046 dated 19.02.2020 under Section 3(1)(S) of SC&ST Act, registered at Police Station Civil Lines Patiala, District Patiala.

While granting interim bail to the petitioner, following order was passed by this Court on 13.03.2020: -

*“...Learned counsel for the petitioner inter alia contends that though alleged incident took place on 15/16.09.2019, whereas FIR was registered on 19.02.2020. He further submits that even otherwise no specific allegations and that too caste related remarks have been narrated in the FIR. He further submits that complainant-Harvinder Singh used to threaten petitioner and he*

*(complainant) has already got registered FIR No.313 dated 26.11.2019 under Sections 120-B, 148, 307, 336, 341 and 506 IPC read with Section 149 IPC and Section 25 of Arms Act at Police Station Civil Lines, Patiala and further FIR No.2 dated 03.01.2020 under Sections 120-B and 307 IPC read with Section 34 IPC and Sections 25 and 27 of Arms Act at Police Station Civil Lines, Patiala, against the petitioner so as to exert pressure upon him, whereas in both case FIRs, petitioner has already been granted concession of pre-arrest bail, vide separate orders dated 31.01.2020 passed by learned Sessions Judge, Patiala. He further submits that in case FIR No.281 dated 15.10.2019 under Sections 148, 307, 323, 341 and 506 IPC read with Section 149 IPC and Section 25 of Arms Act, registered at Police Station Kotwali, Patiala, petitioner has been got implicated as accused by one Simranjit Singh and that too at the instance of complainant-Harvinder Singh and in the said case FIR as well, petitioner has been extended concession of pre-arrest bail, vide order dated 15.11.2019 passed by learned Sessions Judge, Patiala. He further submits that in the above said case FIRs while disposing of applications for grant of pre-arrest bail of petitioner, it has come into limelight that petitioner was not even present on the spots of occurrence of those alleged incidents. He further submits that in a given scenario, no prima facie case has been made out against the petitioner for commission of offence punishable under the provisions of the SC/ST Act. He further submits that apart from*

*provisions of Section 438 Cr.P.C., this Court has got inherent powers to issue direction under Section 482 Cr.P.C. to grant concession of pre-arrest bail and in a given scenario applicability of provisions of SC/ST Act is also debatable at this stage in view of the disputed facts and resultantly bar of Section 18-A of SC/ST Act shall not be applicable. He further submits that even though no such occurrence as alleged had ever taken place, even then petitioner is ready to join investigation as and when called upon to do so by the Investigating Agency...”*

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Karamjit Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.03.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

16.03.2021  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No