

**211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-33459-2021
Decided on : 01.12.2021

Gurdeep Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. K.S.Sidhu, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. G.S.Sandhu, Advocate
for the complainant.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.67 dated 10.07.2021 under Sections 323, 354, 354-B, 148, 149 IPC 1860 and Section 3(1)(a), 10 and 11 of SC/ST Act (Section 325 IPC added later on) registered at Police Station Bariwala District Sri Muktsar Sahib.

Learned counsel for the petitioner states that the petitioner, who is 82 years old man, has not been attributed any injury much less any derogatory or casteist remarks to attract the mischief of Sections 3(1)(a), 10 and 11 of SC/ST Act. The only role attributed to the petitioner was that he was present when the alleged occurrence took place. It was also contended that it was a case of version and cross-version wherein both the parties received injuries. He further submits that pursuant to order dated 18.08.2021, passed by this Court, the petitioner has joined the investigation.

Learned State counsel has not disputed the submissions made by counsel for the petitioner with respect to the role attributed to the petitioner in the crime in question. He, on instructions from ASI Surjeet Singh states that the petitioner is not required for custodial interrogation.

In view of the above, the petition is allowed and interim order dated 18.08.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

01.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No