

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-39991-2020
Date of decision: 11.08.2021**

Havaladar Hazoora Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- None.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 148 dated 26.10.2020, registered under Sections 506 IPC; Section 67 of the Information and Technology Act and Section 3 (1)(iv) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989 at Police Station Bhaini Mian Khan, District Gurdaspur.

The operative part of the order dated 02.12.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that as per the allegations in the FIR, registered on the statement of complainant Satnam Singh, it is stated that his daughter Rupinder Kaur has given a complaint against the father of the petitioner, namely Rattan Singh, regarding misbehaviour etc. It is further stated in the FIR that the said complaint was inquired into and was later on filed as no offence was made out against the father of the petitioner. It is further stated in the FIR that thereafter, another complaint was given by the daughter of the

complainant against the father of the petitioner levelling similar allegations and the same was also inquired into by the police and thereafter, now a complaint has been filed before the Illaqua Magistrate.

Learned counsel further submits that the allegation against the petitioner is that when the complainant was doing a telephonic conversation with the petitioner, who is serving Indian Army and presently posted at Indo-China border, the petitioner used certain words relating to complainant's caste.

Learned counsel further submits that nothing was stated in public view and the petitioner is ready to join investigation.

Notice of motion.

Mr. Sarabjit Singh, AAG, Punjab and Mr. Raj Kumar Arya, Advocate, who are also appearing through video conferencing, accept notice on behalf of respondent-State and complainant, respectively.

Adjourned to 21.04.2021.”

As per statement of SI Mohan Lal, the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above and considering the fact that petitioner is on interim anticipatory bail for the last more than one and a half year and he has not misused the same during that period, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 02.12.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

11.08.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No