

In the High Court of Punjab and Haryana at Chandigarh

201

**CRM-M-53852-2019 (O & M)
Date of Decision: September 24, 2021**

SATNAM SINGH ALIAS KALA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ajiteshwar Singh, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Sanjeev Duggal, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

On 17.12.2019, a Coordinate Bench of this Court had passed the following order:-

“Prayer is for grant of anticipatory bail in case FIR No.71 dated 07.12.2019 under Sections 3 (1) (r) and 3 (1) (s) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Patara, District Jalandhar.

The FIR was lodged by one Manjit Kumar s/o Krishan Lal, alleging that on 02.12.2019 in the night at about 8.00 p.m., he had gone to purchase chicken from the *ahata* (liquor vend), situated in village Kotli Than Singh. When complainant went to *ahata*, the petitioner was also present there and drinking. The petitioner taunted the complainant that he had tried to get on lease the *ahata* though he was a poor person. He also hurled abuses to the complainant and one

Ginda, who was accompanying him. It is also alleged that the petitioner had also stated that the *ahata* is situated on his land and he had not allowed complainant to take *ahata* on lease. He uttered abuses in the name of caste of the complainant and stated as to why the complainant had come to his land. One Malkit Singh s/o Balbir Singh, who was also present there, asked the petitioner not to utter abuses to the complainant, but the petitioner abused him as well.

Learned Counsel for the petitioner submits that the allegations levelled against the petitioner are totally false and are made just on account of malafide intention. He further states that the petitioner is owner of certain parcels of land in the village and has constructed about eight shops there. He has leased out the shops on monthly rent. Two shops are leased out for running shops of liquor. The complainant was interested in getting on lease a shop to run *ahata*. He made many requests to the petitioner as early as in February/March 2019 to lease out one of the shop to him to run his business. The petitioner did not find the offer of the complainant feasible and opted for some other tenant. Since then the complainant nursed grudge against the petitioner. Ld. Counsel further states that at one point of time the complainant had also quarreled with the petitioner. However, it was resolved with the intervention of the villagers. Even on 02.12.2019, the complainant entered into the shop of the petitioner and made attempt to quarrel, which was resisted. Ld. Counsel for the petitioner states that it is in this background that the allegations in the FIR have been levelled against the petitioner.

Notice of motion for 20.02.2020.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the

satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned State counsel, on instructions from ASI Joginder Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 17.12.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

September 24, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No