

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213-2

CRA-S-837 of 2022

Date of decision:20.09.2022

Jang Singh and others

... Appellants

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Baljinder Singh Sra, Advocate for
Mr. Y.S.Dhaliwal, Advocate
for the appellants.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Satnam Preet S. Chauhan, Advocate
for the complainant.

SUVIR SEHGAL, J. (Oral)

On 16.05.2022, this Court passed the following order:-

“Instant appeal has been filed under Section 14-A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (for short “SC/ST Act”) for setting aside the impugned order dated 02.05.2022 passed by the Additional Sessions Judge, SAS Nagar whereby anticipatory bail in a cross case vide DDR No.28 dated 17.04.2022 under Sections 323, 324, 341, 354-B, 506, 148 and 149 of IPC, 1860, however, Section 03 of the SC/ST Act, which was adeed later on, in FIR No.195 dated 17.04.2022 under Sections 323, 324, 341, 354-B,

506, 148 and 149 of IPC, at Police Station Sohana, District SAS Nagar, has been dismissed.

Counsel for the appellants contends that a scuffle took place between the parties on account of a dispute over agricultural land, which was the bone of contention and subject matter of civil litigation between them. By referring to the allegations in the DDR, counsel submits that besides alleging that the appellants were members of unlawful assembly, there is no other accusation against them. He urges that appellants are also members of Scheduled Caste and it is a case of version and cross-version. Reliance has also been placed by him upon interim order dated 09.05.2022 passed in CRM-M-19523-2022, whereby co-accused, Labh Singh, has been granted interim protection by this Court.

List on 20.09.2022.

Meanwhile, the appellants shall join the investigation and would appear as and when called by the Investigating Officer and in the event of arrest, the appellants shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The appellants shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

To be heard with CRM-M-19523-2022”

By an order passed on even date, interim bail granted to co-

accused, has been made absolute by this Court.

Upon instructions from ASI Om Parkash, State counsel submits that offence under SC/ST Act, has been deleted. Still further, he submits that appellants have joined the investigation and they are no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, present appeal is allowed, impugned order is set aside and order dated 16.05.2022 granting interim bail to the appellants is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

September 20, 2022

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No