

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

236-4

CRA-S-911 of 2022
Date of decision:20.09.2022

Simranjeet Singh

... Appellant

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Baljinder Singh Sra, Advocate
for the appellant.

Mr. Mohit Chaudhary, AAG, Punjab.

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

SUVIR SEHGAL, J. (Oral)

On 24.05.2022, 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 11.05.2022 passed by the Additional Sessions Judge, SAS Nagar, whereby anticipatory bail of the appellant, has been dismissed, in a cross-case, vide DDR No.28 dated 17.04.2022 under Sections 323, 324, 341, 354-B, 451, 506, 148 and 149 of IPC, 1860, however, Section 03 of the

SC/ST Act, was added later on, (Annexure A-2) in FIR No.195 dated 17.04.2022 registered under Sections 323, 324, 341, 506, 148 and 149 of IPC, at Police Station Sohana, District SAS Nagar.

Counsel for the appellant has contended that a scuffle took place between the parties on account of dispute over mushtarka malkan/shamlat land which was bone of contention and subject matter of civil litigation. Counsel submits that appellant is similarly placed as co-accused, Labh Singh, Jang Singh and others, Jarnail Singh, Jaspreet Singh @ Jasi, who have been granted interim protection by this Court. Still further, he submits that there is no allegation against the appellant attracting offence under SC/ST Act and Section 354-B, IPC. A categorical assertion has been made that offence under SC/ST Act has been added subsequently and allegation is against Harjit Singh.

List on 20.09.2022.

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

To be heard alongwith CRA-S-874 of 2022.”

Interim protection granted to co-accused has been made absolute by an order passed on even date.

Upon instructions from ASI Om Parkash, State counsel submits that offence under SC/ST Act, has been deleted. Still further, he submits that appellant has joined the investigation and he is 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 24.05.2022 granting interim bail to the appellant is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

September 20, 2022

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>