

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213-3

CRA-S-984 of 2022
Date of decision:20.09.2022

Harjeet 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 30.05.2022, this Court passed the following order:-

“Instant appeal has been filed under Section 14-A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short “the SC&ST Act”) challenging order dated 11.05.2022 passed by learned Additional Sessions Judge, SAS Nagar (Mohali), whereby anticipatory bail of the appellant was dismissed in cross case vide DDR No.28 dated 17.04.2022, registered for offences under Sections 323, 341, 354-B, 451, 506, 148 and 149 of the Indian Penal Code, 1860 (for short “IPC”), wherein Section 3 of the SC&ST Act was added later on, Annexure A-2, in FIR No.195 dated

17.04.2022, registered for offences under Sections 323, 324, 341, 506, 148 and 149, IPC, at Police Station Sohana, District SAS Nagar, Annexure A-1.

Counsel for the appellant has contended that the appellant, who is a Sarpanch of the village, has been falsely framed and in the course of discharge of his duty, he was ensuring that no one illegally occupies the common land of the village when the alleged incident took place. He submits that it is a case of version and cross-version and false allegations have been levelled against the appellant.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior DAG, Punjab accepts notice on behalf of State-respondent. Mr. Satnam Preet S. Chauhan, Advocate has put in appearance on behalf of the complainant and has filed Power of Attorney, which is taken on record.

List on 20.07.2022.

Let a status report be filed by the State placing on record the incriminating material against the appellant.

In the meanwhile, arrest of the appellant shall remain stayed till the next date.”

Status report by way of an affidavit of Deputy Superintendent of Police City-2, District S.A.S.Nagar, has been filed on behalf of respondent-State, which is taken on record.

By referring to the status report and upon instructions from ASI Om Parkash, State counsel submits that offence under SC/ST Act, has been deleted.

In view of the above facts, but without commenting upon the merits of the case, instant appeal is allowed and impugned order is set aside.

In the event of arrest, appellant shall be released on anticipatory bail on furnishing personal and bail bonds to the satisfaction of Arresting/Investigating Officer. Appellant shall continue to join investigation as and when required to do so. He shall also abide by 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