

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

**CRM-M-29737-2021
Date of decision: 14.01.2022**

Sukhdev Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. S. P. S. Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Rahul Arora, Advocate
for the complainant.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 67 dated 25.06.2021, registered under Sections 341, 506, 34 of the IPC and Section 3(i) of the SC/ST Act, 1989 (Amended Act, 2015) at Police Station Kulgari, District Ferozepur.

The operative part of the order dated 29.07.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner contends that the complainant is farm labourer with one Gurmail Singh. Party of Gurmail Singh is in unauthorized possession of Panchayat land for which the petitioner and his family being members of the Panchayat passed resolution for his eviction. Gurmail Singh was having grudge against the petitioner and his family members. FIR started with the allegations that 13 days back, a criminal complaint was

registered on 28.04.2021 in which Jagdeep Singh @ Babbi and Sukhdev Singh @ Raju were involved in harassing the complainant by giving threats in front of house of the petitioner, where the complainant was called for a compromise. The alleged utterances of derogatory words were not statedly uttered in the presence of any eye witness, but the presence of Tarsem Singh was shown later on.

Learned counsel further contends that in the first occurrence, public view remained absent as presence of only petitioner party was shown when they came out of the house of the petitioner. Alleged presence of Tarsem Singh alone would not constitute a public view.

Notice of motion for 13.10.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 29.07.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Baldev Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 29.07.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

14.01.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No