

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

CRM-M-38980-2022

Date of decision : 15.12.2022

Hardeep Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :-Mr. Bikramjit Singh Randhawa, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

On 31.08.2022, the following order was passed:-

“Apprehending his arrest in FIR No.0061 dated 10.05.2022 for offences punishable under Section 341, 506, 148 and 149 IPC, 1860 and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Shri Hargobindpur, District Batala, the petitioner has preferred this petition under Section 438 Cr.P.C seeking pre-arrest bail.

Learned counsel for the petitioner inter alia contends that no specific attribution has been made to any of the accused with respect to caste remarks/offending utterances and therefore the question as to whether the offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 will be made out will be highly debatable, therefore bar under Section 18/18-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 will not be attracted.

Notice of motion.

On the asking of the Court Mr. Gurdarshan Singh Sidhu, Asstt. A.G., Punjab who is present in Court accepts notice.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.

To come up on 15.12.2022.”

2. Today, Mr. Cheema, on instructions from ASI Avdesh Singh, submits that the petitioner has joined investigation and is no more required for custodial interrogation.
3. In view of the above, the interim order dated 31.08.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. Petition stands disposed off.

(PANKAJ JAIN)
JUDGE

15.12.2022
Dinesh

Whether speaking/reasoned	Yes
Whether Reportable :	No