

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

Sr. No.216

CRM-M-50777-2021

Date of decision: 25.08.2022

Baldev Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. H.S. Thiara, Advocate, for the petitioner.

Mr. Navneet Singh, Sr. DAG, Punjab.

Mr. Rajesh Kumar, Advocate for
Ms. Veena Kumari, Advocate
for respondents No.2 and 3.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.107 dated 10.07.2020 registered under Sections 323, 342, 451, 506, 354, 149 IPC and Section 3 of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Bullowal, District Hoshiarpur.

On 06.12.2021, this Court had passed the following order:-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.107 dated 10.07.2020 under Sections 323, 342, 451, 506, 354, 149 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (added vide Rapat No. 39 dated 14.07.2020) registered at Police Station Bullowal, District Hoshiarpur, Punjab.

Learned counsel submits that the delay of 18 days in the registration of the FIR in question from the date of the alleged occurrence clearly indicates that a false and fabricated version had been brought forth at the time of the registration of the FIR in question. He submits that in fact there was a dispute pending between the parties on account of the son of the complainant having

been caught while stealing copper wire from the tubewell of the petitioner for which a complaint too was made prior to theregistration of the FIR on 23.06.2020 vide Annexure P3. Learned counsel submits that just to aggravate the offence, a false attribution has been made qua the petitioner and others of having made casteist remarks against the complainant. Learned counsel submits that though the allegations levelled are patently false, however, assuming for the sake of arguments that such remarks were made, a perusal of the FIR in question clearly reveals that it was not in a public place but inside the house of the parties.

Notice of motion for 04.04.2022.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/InvestigatingOfficer. The petitioner shall abide by the terms and conditions as envisagedunder Section 438(2) Cr.PC..

Learned State counsel submits that in pursuance to the afore-quoted order passed by this Court, the petitioner has joined and co-operated with the investigation which is now complete and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 06.12.2021, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

August 25, 2022

Jyoti 1

(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No