

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

CRA-S-2-2023

Date of decision: 08.05.2023

MANPREET KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Mehak Bedi, Advocate for
Mr. Yashpal Thakur, Advocate for the appellant.

Mr. Hittan Nehra, Addl. AG, Punjab.

VIVEK PURI, J. (ORAL)

1. On 04.01.2023, the following order was passed in the main case:-

“The appellant has assailed the order dated 23.09.2022 passed by the Learned Judge, Special Court, Kapurthala vide which the application for anticipatory bail in the case bearing FIR No.50 dated 14.08.2022, registered under Sections 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short ‘the Act’) and 506 IPC, at Police Station Bholath, District Kapurthala has been dismissed.

Learned counsel for the appellant contends that the present FIR has been lodged as a counterblast to the FIR No.36 dated 17.06.2022, under Sections 376/506 IPC, registered at Police Station Bholath, District Kapurthala at the instance of the appellant against the son of the petitioner. The allegations are to the effect that the derogatory remarks against the caste of the complainant were uttered while having conversation on mobile phone and were not in a public view. In such circumstances, the bar of Section 18 of the Act may not be attracted in the instant case.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 08.05.2023.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail bonds to the satisfaction of the Arresting Officer subject to the

CRA-S-2-2023

-2-

condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

- 2. Learned counsel for the appellant contends that the appellant has joined the investigation in pursuance of interim directions.
- 3. On instructions from ASI Kuldeep Singh, learned State counsel has not disputed the aforesaid factual aspects and also submits that the appellant has joined the investigation and his custodial interrogation is not required.
- 4. In view of the aforesaid submissions, the order dated 04.01.2023, granting interim bail to the appellant is made absolute.
- 5. The appeal is accordingly disposed of.

08.05.2023
renubala

(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No