

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

251

CRA-S-931-2023

Date of decision: 17.10.2023

Naval Kishore @ Naval Kapoor

.....Appellant

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Malika Sobti, Advocate
for the appellant.

Mr. Amit Rana, Sr. DAG, Punjab.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant is challenging the order dated 21.03.2023 passed by the learned Additional Sessions Judge, Amritsar vide which his application seeking concession of anticipatory bail in case FIR No.23 dated 03.03.2023 under Sections 3 & 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station D-Division, District Police Commissionerate Amritsar, was dismissed.

2. On 29.03.2023, learned counsel for the appellant had made the following submissions:-

“Learned counsel inter alia contends that totally false and fabricated allegations have been levelled against the petitioner of having indulged in derogatory remarks and casteist utterances towards the complainant on 01.03.2023 when the complainant went to to get wheat from the Depot which was being run by the petitioner. Learned counsel submits that the complainant was not even registered with the Depot of the petitioner, hence there was no question of the complainant approaching the petitioner for the purchase of wheat.”

3. Thereafter, on 17.04.2023, this Court had granted the concession of interim bail to the appellant and asked him to join investigation.

4. Learned counsel for the appellant submits that in compliance of order dated 17.04.2023, the appellant has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from ASI Balwinder Singh, does not dispute the factum of the appellant having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the appellant is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 17.04.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

17.10.2023

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(MANJARI NEHRU KAUL)

JUDGE

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