

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

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2023:PHHC:087658

CRA-S-1148-2023 (O&M)

Date of decision: July 13th, 2023

Ravinder Kaur

.....Appellant

Versus

State of Punjab and another

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Atul Goyal, Advocate
for the appellant.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The appellant is challenging order dated 10.04.2023 passed by learned Special Court, Ludhiana vide which her application under Section 438 of the Cr.P.C. for grant of anticipatory bail, in case FIR No.50 dated 25.03.2023 under Sections 323 and 506 of the IPC and Sections 3(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the SC/ST Act') registered at Police Station Dugri, District Ludhiana, was dismissed.

Vide order dated 20.04.2023, the appellant had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the appellant inter alia contends that in fact it was a matter of record that the complainant who has since been declared a proclaimed offender, had a money dispute with the petitioner's husband and on account of the same he had planted the case in question by alleging that the

petitioner had indulged in casteist remarks when he went to her house seeking some loan.”

Learned counsel for the appellant submits that in compliance of order dated 20.04.2023, the appellant has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Balbir 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.

In view of the above, the appeal is allowed and impugned order dated 10.04.2023 passed by learned Special Court, Ludhiana, is hereby set aside. Interim order dated 20.04.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the appellant misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

July 13th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No