

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

CRA-S No.1497 of 2023

Date of decision: 11th August, 2023

Jagtar Singh

... Appellant

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. H.S. Randhawa, Advocate for the appellant.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant is impugning the order dated 21.02.2023 vide which his application under Section 438 of the Cr.P.C. seeking concession of anticipatory bail in complaint titled as 'Zora Singh Vs. Jagtar Singh @ Kaka etc.' bearing CIS No.COMI/103/2014 under Sections 34 and 3(X & XV) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, was dismissed.

2. On the last date of hearing, i.e. 19.05.2023, while noticing the following submissions made by learned counsel for the appellant, this Court had granted the concession of interim bail to the appellant and asked him to appear before the trial Court.

“Learned counsel for the appellant inter alia contends that the complaint in question was registered way back on 16.05.2014 and thereafter dismissed on 13.07.2016 by learned Judicial Magistrate 1st Class, Jagraon. Thereafter, the complainant impugned the order dated

13.07.2016 passed by learned Judicial Magistrate 1st Class, Jagraon before the Revisional Court which remanded the matter back to the Trial Court concerned for deciding it afresh. Learned counsel submits that subsequently the appellant was summoned to face trial vide order dated 18.10.2022. It has also been submitted that the order dated 18.10.2022 (Annexure P-4) summoning the appellant has been challenged before the learned Additional Sessions Judge, Ludhiana wherein notice stands issued. Learned counsel submits that the next date fixed before the Trial Court is 01.07.2023.”

3. Learned counsel for the appellant submits that in compliance of the order dated 19.05.2023, the appellant had appeared before the trial Court and had been admitted to interim bail by the trial Court. In support, learned counsel has placed on record a copy of the order dated 01.07.2023 passed by learned Judicial Magistrate 1st Class, Jagraon.

4. Learned State counsel, on instructions, does not dispute the factum of the appellant having released on interim bail by the trial Court.

5. In the circumstances, the appeal is allowed and the interim order dated 19.05.2023 is made absolute.

(MANJARI NEHRU KAUL)
JUDGE

August 11, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No