

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRA-S-1856-2023 (O&M)****Date of decision: 12.10.2023**

Harinder Singh @ Harwinder Singh @ Happy

....Appellant

versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Abhay Gupta, Advocate,
For the appellant

Mr. Mohit Thakur, AAG, Punjab.

Mr. Kanwaljeet Singh and Satvir Singh, Advocates,
For the complainant.

ARUN MONGA, J. (ORAL)

Present appeal has been filed for grant of anticipatory bail to the appellant in case FIR No.0084 dated 21.03.2022, registered under Sections 323, 341, 506 read with section 34 of IPC and Section 3 (a) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (added later on) (for short 'the SC/ST Act') at Police Station, Gobindgarh Mandi, District Fatehgarh Sahib.

2. Learned counsel for the appellant submits that pursuant to earlier order dated 19.07.2023 passed by this Court, appellant has joined the investigation and has fully cooperated in the same.

3. Learned State counsel per his instructions from ASI Harminder Singh submits that appellant has joined investigation and in view of cooperation rendered by him, no custodial interrogation of appellant is required.

4. Learned counsel for the complainant, who is though not a party but appears and opposes the grant of concession of interim bail to the appellant.

5. Be that as it may, complainant has no role to play in the matters of bail.

It is between the prosecution, the investigating agency and accused. Matters of personal liberty cannot be taken very lightly and to curtail the liberty of citizen merely

to satisfy the ego of a complainant would result in violation of fundamental rights of a citizen.

6. In view of the above, since custodial interrogation of appellant is no more required and he has already joined investigation and cooperated with the investigating officer, present appeal is allowed. Order dated 19.07.2023 granting interim anticipatory bail to the appellant is made absolute, subject to appellant's complying with provisions under Section 438(2) Cr.P.C.

7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

12.10.2023
Vandana

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