

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRA-S-2037-2022
Date of decision:- 18.01.2023

Ramandeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG, Punjab for respondent No. 1.

None for respondent No. 2.

SUVIR SEHGAL, J. (Oral)

As per office report, respondent No. 2 has been served, but she is unrepresented.

Instant appeal has been filed under Section 14-A (2) of the Schedule Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for setting aside the impugned order dated 27.09.2022 passed by the learned Additional Sessions Judge, Jalandhar.

On 20.10.2022, this Court passed the following order in the main case:-

“ **CRA-S-2037-2022**

Perusal of the paper book shows that the appellant is running an IELTS coaching centre and there was a dispute regarding the payment of fee of

complainant's daughter. Allegations in FIR, Annexure P-2, show that the alleged incident took place during the telephonic conversation and neither specific objectionable words have been mentioned in the FIR nor the incident has taken place within public view.

Notice of motion.

On asking of the Court, SI, Budh Raj, Police Station Kartarpur, District Jalandhar, who is the Investigating Officer in the matter and is present before this court, accepts notice on behalf of State-respondent No. 1.

Respondent No. 2 be served.

Appellant is directed to appear before the Investigating Officer on 02.11.2022 at 10.00 A.M. At Police Station Kartarpur, District Jalandhar and join the investigation and appear as and when called by the Investigation Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

List on 18.01.2023.”

Upon instructions from ASI-Pappu Gill, State counsel submits that the appellant has joined the investigation and he is no longer required for custodial interrogation. Still further, he submits that investigation qua the appellant is complete.

In view of the above, appeal is allowed. Order dated 27.09.2022 passed by the learned Additional Sessions Judge, Jalandhar is set aside. Interim order dated 20.10.2022 is made absolute subject to the compliance of the conditions under Section 438 (2) Cr.P.C.

18.01.2023
Harish Kumar

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No