

CRA-S-2411-2022(O&M)

Date of decision: 03.03.2023

JASDEV SINGH

...APPELLANT

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sandeep Gahlawat, Advocate for the appellant.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

On 21.11.2022, the following order was passed:-

"Petitioner has assailed the order dated 01.11.2022 passed by the Court of learned Additional Sessions Judge, Ludhiana vide which the application under Section 438 Cr.P.C for anticipatory bail has been dismissed.

Learned counsel for the petitioner contends that the case against the petitioner has been registered vide GD No.39 dated 15.11.2021, under Sections 294/341/323/354-A/506 read with 34 IPC and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The allegations against the petitioner and the co-accused are to the effect that they had uttered derogatory remarks against the caste of the complainant, outraged her modesty and inflicted injuries. It is a case of version and cross-version. At the earlier instance, an FIR No.207 dated 14.11.2021, under Sections 323/324/341/427 read with Section 34 IPC has been registered against the complainant party at the instance of Kuldeep Kaur, the wife of the petitioner. The present cross-version has been registered vide GD No.39 on the following day i.e. 15.11.2021. There is no allegation in the statement of the complainant that the petitioners were aware of her caste. Notice of motion.

Mr. Hittan Nehra, Addl. AG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 02.03.2023.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail

bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the appellant contends that the appellant has joined the investigation in pursuance of interim directions.

On instructions from ASI Sudagar Singh, learned State counsel submits that the appellant has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 21.11.2022, granting interim bail to the appellant is made absolute.

The appeal is accordingly disposed of.

03.03.2023
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(VIVEK PURI)
JUDGE

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