

225-1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-2480-2022(O&M)

Date of decision: 03.03.2023

KULDEEP KAUR AND ORS.

...APPELLANTS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

On 30.11.2022, the following order was passed:-

“Appellants have assailed the orders dated 22.08.2022 vide which anticipatory bail application of the appellants have been declined.

The appellants are seeking anticipatory bail in the case bearing GD No.39 dated 15.11.2021, under Sections 294/341/323/354/354-A/506 read with Section 34 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Machhiwara Sahib, Police District Khanna, District Ludhiana.

Learned counsel for the appellants contend that the allegations against the appellants and the co-accused, namely, Jasdev Singh are to the effect that they have 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 appellant No.1. 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 appellants were aware of her caste. The co-accused, namely, Jasdev Singh has been granted interim bail by this Court in terms of order dated 21.11.2022 passed in CRA-S-2411-2022.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, 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 appellants be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.
To be heard along with CRA-S-2411-2022.”*

Learned counsel for the appellants contend that the appellants have joined the investigation in pursuance of interim directions.

On instructions from ASI Sudagar Singh, learned State counsel submits that the appellants have joined the investigation and their custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 30.11.2022, 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