

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRA-S-198-2024 (O&M)
Date of decision : 21.3.2024

Nirmal Ojha alias Nirmala Ojha alias Nirmal Devi
... Appellant

VERSUS

State of Punjab and another
... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab

KARAMJIT SINGH, J. (Oral)

Present appeal has been filed by the appellant against order dated 19.11.2023 whereby the application filed by the appellant for grant of anticipatory bail in criminal case having FIR No.250 dated 5.10.2023 registered under Sections 323, 341, 506 IPC and Section 3 of SC/ST Act at Police Station Sahnewal, has been dismissed by the Court of Judge, Special Court, Ludhiana.

2. The allegations in nutshell are that complainant-Lachmi Devibelongs to scheduled caste and on 9.9.2023 at about 8:00 p.m., she was standing in a street in front of her house and in the meantime, the appellant and one Aarti Devi started quarreling with her with regard to draianage of waste water and they also started giving her beatings and both the accused also used abusive language in the name of the caste of the complainant at that time.

3. On the last date of hearing, detailed order was passed by this Court while referring to the guidelines issued by Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**, (2014) 8 SCC 273 and the ratio laid down in **Prathvi Raj Chauhan v. Union of India and others** (2020) 4 SCC 727 and the petitioner was granted interim bail with direction to join investigation with the police. Today, counsel for the appellant submits that by virtue of the aforesaid order of interim bail, the appellant joined investigation with the police.

4. Short reply filed on behalf of the State by way of affidavit of Guljinder Pal Singh, SHO, Police Station Sahnewal, Ludhiana is ordered to be taken on record.

5. State counsel on instructions from ASI Satnam Singh apprised the Court that the petitioner joined the investigation with the police and is not required for any further investigation by the police.

6. In view of the above, without commenting on the merits of the case, the present appeal is allowed and impugned order dated 19.11.2023 is set aside. Interim order dated 16.1.2024 passed by this Court is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(**KARAMJIT SINGH**)
JUDGE

March 21, 2024
Paritosh Kumar

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