



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

265

CRA-S-414-2024

Date of decision: 23.07.2024

Parminder Singh

.....Appellant

Versus

The State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ritesh Pandey, Advocate
for the appellant.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Gagandeep Singh Simble, Advocate
for respondent No.2-complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant is challenging the order dated 18.01.2024 passed by learned Additional Sessions Judge, Gurdaspur whereby his application for grant of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.87 dated 03.08.2023 under Sections 3(1)(ii) and 5 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the SC/ST Act') registered at Police Station Sadar Batala, was dismissed.

2. On 08.02.2024, while noticing the following submissions made by the learned counsel for the appellant, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the appellant inter alia contends that the offences under Sections 3(1)(ii) and of

the SC/ST Act are not at all attracted in the instant case as it is a matter of record that the complainant does not belong to the SC/ST category. It has also been submitted that even otherwise totally false and fabricated allegations have been levelled against the appellant on account of a history of animosity between the parties.”

3. Learned counsel for the appellant submits that in compliance of order dated 08.02.2024, the appellant has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Baljit Singh, does not dispute the factum of the appellant having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the appellant is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the appeal is allowed and interim order dated 08.02.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

23.07.2024

Vinay

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(MANJARI NEHRU KAUL)
JUDGE