

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

228

**CRA-S-647 of 2024
DATE OF DECISION :- 12.03.2024**

Sandeep Singh @ Sohna

...Appellant

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Amit Arora, Advocate for the appellant.

Mr. Yuvraj Singh Tiwana, AAG, Punjab.

Mr. Parveen Chauhan, Advocate for respondent No. 2.

SUMEET GOEL, J. (Oral)

1. On 16.02.2024, the following order was passed:-

“The present appeal has been preferred under Section 14A(2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the order dated 07.02.2024 passed by learned Additional Sessions Judge, Tarn Tarn.

Inter alia contends that the FIR has been lodged on account of a money dispute between the parties; the falsity of the present FIR is decipherable from the fact that the date of incident is shown to be 07.05.2023 but the MLR was conducted on 08.08.2023 & the petitioner is willing to join investigation as also cooperate therein. Learned counsel for the appellant has further placed reliance on the order dated 12.12.2023 passed in CRA-S-3304 of 2023 by this Court.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Adjourned to 12.03.2024.

To be heard along with CRA-S-3304 of 2023.

The appellant is directed to appear before the Investigating Officer on 22.02.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the

appellant shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the appellant shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

2. Learned State counsel, on instructions from ASI Sukhwinder Singh, has stated that pursuant to the order dated 16.02.2024, the appellant has joined investigation and is no longer required for custodial interrogation.
3. In view of above, the present appeal stands allowed and the interim order dated 16.02.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. This order should not be treated as “blanket” order. It will not be read granting appellant indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
5. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the appellant violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
6. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

12.03.2024
P.Singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No