

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRA-S 600 of 2023(O&M)
Date of Decision: 24.01.2024

Malkit Singh

...Appellant

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Navneet Singh, Advocate
For the appellant.

Mr. G.S. Sidhu, AAG Punjab.

KARAMJIT SINGH, J.

1. The present appeal has been filed by the appellant against the order dated 20.02.2023 passed by Judge, Special Court, vide which the application filed by the appellant under Section 438 Cr.P.C. for grant of anticipatory bail in criminal case having FIR No. 70 dated 03.04.2022, registered under Sections 323, 341, 294, 506, 295-A read with Section 34 IPC and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for brevity, SCT & ST Act) at Police Station Sidhwan, District Ludhiana, has been dismissed.
2. The allegations in nutshell are that the petitioner and co-accused Gurwinder Singh Bhandal attacked complainant Kulwant Singh who belongs to Scheduled Caste and caused simple injuries to him.
3. The petitioner was granted interim bail with a direction to join the investigation with the police vide order dated 27.02.2023 on the ground that FIR in this case was registered after delay of 04 days and thereafter

offence under Sections 3/4 of S.T. & S.T. Act and under Section 295-A IPC were added after gap of about 05 months of registration of FIR.

4. Notice of the petition was issued to the complainant but he failed to appear despite his due service.

5. Today, the State counsel on instructions from ASI Jaswant Singh apprised the Court that the petitioner has joined the investigation and is not required for any further investigation or custodial interrogation by the police.

6. In light of the above, without expressing any opinion on the merits of the case the present petition is allowed and interim order dated 27.02.2023 is made absolute. The petitioner is to abide by the conditions as provided in Section 438(2) Cr.P.C.

24.01.2024
Jiten

(KARAMJIT SINGH)
JUDGE

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