

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S No.1031 of 2023 (O&M)

Date of decision: 3rd May, 2024

Gagandeep Singh

... Appellant

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amitoj Singh, Advocate for
Mr. Aminder Singh, Advocate for the appellant.
Mr. Shiva Khurmi, Asst. Advocate General, Punjab
for the respondent/State.
Mr. Navjot Singh, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant is impugning order the dated 24.03.2023 passed by learned Judge, Special Court, Sangrur vide which his application for grant of anticipatory bail in case FIR No.29 dated 15.03.2023 under Sections 379-B, 341, 323, 506, 34 of the IPC and Section 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the SC/ST Act') registered at Police Station Sadar Sangrur, District Sangrur, was dismissed.

2. On 24.11.2023, while noticing the following submissions made by learned counsel for the appellant, this Court had granted the

concession of interim bail to the appellant and asked him to join investigation.

“Learned counsel for the appellant while drawing the attention of this Court to the FIR which has been annexed as Annexure P-1, inter alia contends that the occurrence in question allegedly took place on 24.02.2023, however, the FIR was lodged after 19 days of the alleged occurrence; as per the allegations levelled in the FIR, the appellant along with his accomplices inflicted various injuries on the person of the complainant, however, yet again very strangely the complainant got himself medico legally examined after 03 days of the alleged occurrence. It has been submitted that the motive to assault the complainant is not even forthcoming in the FIR in question coupled with the fact that even qua the alleged casteist utterances, totally vague allegations have been levelled in the following terms:-

“.....and where people gathered there and the above said persons after giving threats to me and uttering words about my caste ran away from the spot with my Motorcycle.....”

3. Learned counsel for the appellant submits that in compliance of the order dated 24.11.2023, the appellant has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, 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 the circumstances, the appeal is allowed and the interim order dated 24.11.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the appellant misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

May 3, 2024
rps

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