

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S No.1398 of 2023 (O&M)

Date of decision: 4th January, 2024

Jagdev Singh

... Appellant

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Atul Goyal, Advocate for the appellant.

Mr. Anup Singh, Asst. Advocate General, Punjab
for the respondent/State.

Mr. Amit K. Walia, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant is challenging the order dated 02.05.2023 passed by learned Special Court, Ludhiana whereby his application seeking grant of anticipatory bail in case bearing FIR No.50 dated 25.03.2023 under Sections 323, 506 IPC and Section 3(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Dugri, District Ludhiana, was dismissed.

2. On the last date of hearing, i.e. 11.10.2023, this Court had granted the concession of interim bail to the appellant and asked him to join investigation on the basis of following submissions made by learned counsel for the appellant on 10.05.2023:

“Learned counsel for the appellant inter alia contends that there was money dispute between him and the complainant and just to wriggle out of the money dispute, a false and fabricated case has been planted upon the appellant and his wife on the allegations that he had not only assaulted the complainant but had also passed casteist remarks when the complainant went to his house asking for money.”

3. Learned counsel for the appellant submits that in compliance of the order dated 11.10.2023, 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 11.10.2023 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

January 04, 2024
rps

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