

JASJIT SINGH

Versus

STATE OF PUNJAB

Petitioner

Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Komalpreet Kaur, Advocate for
Mr. Sandeep Arora, Advocate for the petitioner.
Mr. Siddharth Sandhu, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

The present appeal has been filed under Section 14-A of SC and ST (Prevention of Atrocities) Act, 1989 against the order dated 17.11.2023 passed by learned Addl. Sessions Judge, Jalandhar vide which anticipatory bail filed by the appellant in case FIR No.140 dated 01.11.2023 under Sections 323, 324, 341, 148 and 149 of IPC as well as Section 25 of Arms Act and Sections 3 & 4 of SC and ST (Prevention of Atrocities) Act, 1989 at P.S. Kartarpur, District Jalandhar was dismissed.

2. As per the office report, notice issued to respondent No.2 received back served, however, no one has appeared on his behalf.

3. On 13.12.2023, the following order was passed:-

“CRM-52398-2023

This is an application under Section 482 Cr.P.C. for impleading complainant-Ansh Sodhi as respondent no.2.

For the reasons given in the application, the complainant-Ansh Sodhi is ordered to be impleaded as respondent No.2.

Amended memo of parties is taken on record.

The application is allowed.

Main Appeal

Instant appeal has been filed under Section 14-A of SC and ST (Prevention of Atrocities) Act, 1989 against the order dated 17.11.2023 passed by Additional Sessions Judge, Jalandhar vide which the anticipatory bail was dismissed in :-

FIR No.	Dated	Police Station	Section(s)
140	01.11.2023	Kartarpur, District Jalandhar	323, 324, 341, 148, 149 IPC and Section 25 of the Arms Act and Sections 3 & 4 of SC and ST (Prevention of Atrocities) Act.

Counsel for the appellant submits that the appellant who is in the noble profession, has been falsely implicated. He submits that the allegations leveled against the appellant is that he inflicted injury on complainant’s back with a khanda. A categoric assertion has been made by the counsel for the appellant that offence under Sections 3, 4 of S.C./S.T. Act is not attributed to the appellant.

Notice of motion.

On asking of the Court, Mr. A.P.S. Tung, D.A.G., Punjab accepts notice on behalf of the respondent-State. He has instructions to state that besides the injury referred to by the counsel for the appellant, the appellant is also accused of inflicting simple injury on the complainant’s brother.

Respondent No.2 be served for 14.03.2024.

Appellant is directed to appear before the Investigating Officer on 27.12.2023 at 10.00 A.M. at Police Station, Kartarpur, District Jalandhar, and to join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/ Investigating Officer. He shall also abide by the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

4. Learned State counsel on instructions from Investigating Officer submits that in compliance of order dated 13.12.2023, appellant has joined the investigation and is no more required for further interrogation.
5. Having considered the facts and circumstances of the case, order dated 13.12.2023 passed by this Court is made absolute, however, the appellant shall keep on appearing before the Investigating Agency as and when required and shall abide by the conditions as envisaged under Section 438(2) CrPC.
6. Disposed of accordingly.

01.05.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No