



210

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

CRA-S-3850-2024

Date of Decision:- 17.12.2024

HARPREET SINGH AND ORS

...Appellants.

Vs.

STATE OF PUNJAB AND ORS

...Respondents.

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sandeep Wadhawan, Advocate for appellants.

Mr. Kewal Singh, Addl. A.G. Punjab.

Mr. R.K. Choudhary, Advocate for respondent Nos.2 to 4.

AMARJOT BHATTI, J.

1. Appellants Harpreet Singh and others have filed criminal appeal against impugned order dated 13.11.2024 vide which their anticipatory bail application was declined. Feeling aggrieved of this order, present appeal has been filed.

2. Learned counsel for appellants argued that in pursuance of order dated 26.11.2024, present appellants have appeared before the trial Court and have joined proceedings and were released on interim bail. They will abide by the terms and conditions of bail order.

3. Status report filed today, which is taken on record.

4. Mr. R.K. Choudhary, Advocate filed power of attorney on behalf of respondent Nos.2 to 4, which is taken on record. It is confirmed that appellants were summoned in a complaint case vide order dated

2024.PHHC.169362



19.04.2024 in which they appeared before the trial Court in pursuance of order dated 26.11.2024. Regarding FIR registered on the statement of complainant, cancellation report was recommended.

5. I have considered the aforesaid factual position. Order dated 26.11.2024 runs as under:-

“Appellants Harpreet Singh and others filed criminal appeal against impugned order dated 13.11.2024 passed by learned Additional Sessions Judge, Patiala vide which their anticipatory bail has been declined.

Learned counsel for appellants pointed out that present case is pertaining to the alleged occurrence dated 05.01.2018 regarding which FIR No.12 dated 08.01.2018, under Sections 341, 323 and 506 of IPC was registered at Police Station City Rajpura (Annexure P-5). Thereafter, respondent/complainant filed representation to Senior Superintendent of Police, District Patiala (Annexure P-6) and also filed one criminal writ petition (Annexure P-7), in which there were no allegations falling under the provisions of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989. Thereafter, respondent/complainant filed private complaint which was also dismissed vide order dated 11.05.2022 (Annexure P-2) and they preferred revision thereto and vide order dated 04.03.2024 (Annexure P-3) case was remanded back to the trial Court for reconsideration and ultimately present appellants were ordered to be summoned vide summoning order dated 19.04.2024 (Annexure P-4). The proceedings in the said complaint were stayed in pursuance of registration of aforesaid FIR No.12 dated 08.01.2018. It was reported that cancellation report was being presented and thereafter proceedings in complaint case were initiated by issuing process of summoning. Now case is pending before the trial Court for 27.11.2024. It is argued that allegations are false. Present appellants are ready to appear before the trial Court.

Notice of motion.

2024.PHHC.169362



On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab notice on behalf of State. He seeks an adjournment to file status report.

Considering the aforesaid factual position, this Court is inclined to grant interim bail to the appellants with direction to appear before the trial Court/Duty Judge and be released on interim bail to the satisfaction of trial Court/Duty Judge concerned.

Adjourned to 17.12.2024.

Status report be filed by respondent – State before adjourned date.”

6. In pursuance of this order, appellants have appeared before the trial Court and accordingly they are released on interim bail. Downloaded copy of order dated 04.12.2024 is produced today. No purpose would be served by sending appellants behind bars. In light of facts as detailed in order dated 26.11.2024 referred above, appeal preferred by appellants is accepted by setting aside impugned order dated 13.11.2024 and interim bail already granted in their favour stands confirmed subject to same terms and conditions.

(AMARJOT BHATTI)
JUDGE

17.12.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No