



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

**CRA-S-126-2025 (O&M)
DECIDED ON: 16.01.2025**

AJAIB SINGH

.....APPELLANT

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Gurjeet Singh Kaura, Advocate,
for the appellant.

SANJAY VASHISTH, J (ORAL)

1. Present appeal has been filed by the appellant – Ajaib Singh, aged 55 years, by challenging the order dated 26.11.2024, whereby the application for grant of anticipatory bail to him has been dismissed by learned trial Court, in the proceedings arising from FIR No.19 dated 16.02.2021, under Sections 420, 379, 120-B of IPC, and Section 13 of the Village Common Land Acquisition Act, 1981, and Section 3 of the Scheduled Castes and Scheduled Tribes Act, 1989, (offence under Section 3 of the SC/ST Act, 1989, while presenting the challan before the competent Court of law), registered in Police Station Ghanaur, District Patiala.

2. Counsel for the petitioner submits that initially, the appellant was facing the charges only under Sections 420, 379, 120-B I.P.C., and was also granted anticipatory bail, vide order dated 31.03.2021 and said order was confirmed, vide order dated 09.04.2021, passed by the learned Sessions

Judge, Patiala.

3. It is at the time of final report that the offence under Section 3 of the SC/ST Act, has been added, and fresh bail application filed by the appellant was dismissed, being barred by virtue of Section 18 of the SC/ST Act.

4. Counsel for the appellant further submits that despite adding Section 3 of the SC/ST Act, there is no assertion from the State requiring the custodial interrogation of the appellant due to addition of the offence. Moreover, vide order dated 08.01.2025 passed in CRA-S-4167-2024 (Annexure P-4), co-accused namely Vivek Nirmohi, has been granted bail by this Court, by observing that in the eventuality of surrendering before the trial Court, he would be released on bail.

5. Notice of motion.

6. On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts an appearance on behalf of the respondent/State, and submits that crime against society has been committed in this case, which is a serious offence, and therefore, the act played by the appellant does not warrant any sympathy.

7. After considering the submissions addressed by counsel for the parties, perusing the record and also the order already passed by this Court dated 08.01.2025, this Court deems it appropriate to dispose of the present appeal, with the direction to the appellant that in case, he surrenders before the trial Court within a period of ten days from today, on his appearance, he shall be released on bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also

abide by all the conditions laid down under Section 482(2) of the BNSS, 2023. The appellant is also directed to join the investigation as and when required to do so by the Investigating Agency.

8. Besides, appellant would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the country, he would seek prior permission from the Investigating Agency/concerned Court.

9. Disposed of.

16.01.2025

Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>