



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRA-S-2593-2024

Decided on : 16.01.2025

Sukhdeep Kaur

... Appellant(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Angrej Singh Sarwara, Advocate
for the appellant(s).

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present appeal has been filed by the appellant – Sukhdeep Kaur by challenging the order/judgment dated 06.07.2024, passed by learned Addl. Sessions Judge, Mansa, whereby, the concession of anticipatory bail was declined, as the plea of anticipatory bail is barred under Section 18 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (in short, 'SC/ST Act'). Hence, the appellant is before this Court.

2. On 30.07.2024, following order was passed:-

*“Present: Mr. Angrej Singh Sarwara, Advocate
for the appellant.*

Learned counsel for the appellant inter alia submits that as per the allegations, dispute is with regard to the throwing of garbage. The allegations, if any, are of general in nature and even FIR is silent regarding the fact that in whose presence, those words were used. The occurrence pertains to 21.12.2023 but FIR in question has been registered on 17.05.2024 (Annexure A-1).

Notice of motion.



Mr. Rajinder Singh Bhatta, DAG, Punjab accepts notice on behalf of the State. He seeks some time to file the reply.

Notice to respondent No.2 be issued for 10.12.2024 on filing of requisite process fee etc.

In the meantime, appellant is directed to join investigation as and when called by SHO/Investigating Officer and in the event of her arrest, she shall be released on interim bail on her furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

- (i) that the appellant shall make herself available for interrogation before the investigating officer as and when required;*
- (ii) that the appellant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) that the appellant shall not leave the country without prior permission of the Court concerned.”*

3. Today, learned State counsel has filed the status report dated 14.01.2025, in Court today. Same is taken on record, subject to all just exceptions.

A copy thereof has been handed over to the counsel for the appellant.

4. While referring to para No.4 of the said status report, learned State counsel submits that the appellant – Sukhdeep Kaur, has already joined the investigation with the Investigating Officer on 10.08.2024 and after effecting of formal arrest, appellant was released on bail by the Investigating Officer, on furnishing personal bail bonds by her.

5. In view of the status report filed by the State today in Court, present appeal is allowed and the order dated 06.07.2024, is declared to be inoperative *qua* the appellant.



However, the appellant shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) of Cr.P.C.

Accordingly, appeal is disposed of.

(SANJAY VASHISTH)
JUDGE

January 16, 2025
J.Ram

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