



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227

CRA-S-1565-2022(O&M)

Date of Decision: 06.03.2025

JASWINDER SINGH @ KINDI

...Appellant

Versus

STATE OF PUNJAB AND ANR

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Gurbinder Sidhu, Advocate for the appellant.

Ms. Aakanksha Gupta, AAG Punjab.

Ms. Rajni Bala Rohilla, Advocate for
Mr. A.S.Barnala, Advocate for complainant.

KIRTI SINGH, J. (Oral)

1. Apprehending his arrest the appellant has filed this appeal for grant of anticipatory bail in case bearing FIR No.111 dated 02.07.2022 under Section 420, 376 IPC and Sections 3 and 4 of the SC/ST (Prevention of Atrocities) Act, 1989 added later on registered at Police Station Nihar Singh Wala, District Moga.

2. While issuing notice of motion of 05.09.2022, the following order was passed:-

"CRM-31928-2022*Application is allowed as prayed for.**Prosecutrix is ordered to be impleaded as respondent No.2.**Amended memo of parties is taken on record.***Main Case***Counsel for the appellant submits that the appellant was in a physical relationship with the prosecutrix since the year 2019, which was consensual. He submits that there is no allegation of utterance of any objectionable words attracting offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.**Notice of motion.**On asking of the Court, Ms. Ramta Chaudhary, DAG, Punjab, accepts notice on behalf of respondent No.1-State.**Respondent No.2 be served for 18.01.2023.*



In the meanwhile, arrest of the appellant shall remain stayed till the next date.”

3. Status report dated 05.03.2025 has been filed by learned State counsel, in Court today, which is taken on record. He on instructions from investigating officer submits that in compliance of order dated 14.02.2025, the appellant has joined the investigation and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the appeal is allowed. Order dated 14.02.2025 passed by this Court, is hereby made absolute.

5. This order should not be treated as "blanket" order. It will not be read granting the appellant indefinite protection from arrest. It shall be confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.

6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the appellant.

7. The accused/appellant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

8. The accused/appellant shall not leave India without prior permission of the Court.

9. The accused/appellant shall join the investigation as and when called by the police.

10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS (erstwhile



Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

Pending application(s), if any, also stands disposed of accordingly.

(KIRTI SINGH)
JUDGE

06.03.2025

Kavita

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No