

**CRM-M-10853 of 2015**  
**Date of Decision: 08.04.2015**

**OMRAJ @ BUNTI** .....Petitioner

**STATE OF HARYANA** .....Respondent

**VERSUS**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Kunal Dawar, Advocate  
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

**RAJ MOHAN SINGH J. (ORAL)**

Prayer in this petition is for grant of regular bail in case FIR No.68 dated 07.03.2015 under Sections 323/325 IPC and under Sections 3/33/89 of SC/ST Act, Police Station Sohna, District Gurgaon, Haryana.

Learned counsel for the petitioner states that offences under Sections 323/325 IPC are bailable. Ingredients of offence under Sections 3/33/89 of SC/ST Act are not fulfilled in as much as that there is no averment in the FIR, whether the petitioner was in the knowledge of the fact that complainant is a member of SC/ST category. Mere utterances of caste oriented words do not constitute the offence unless and until, the words are used with an intention to humiliate the member of SC/ST category.

Learned State counsel on instructions from SI Umesh Kumar opposed the bail application vehemently.

Without commenting upon the merits of this case, petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, Gurgaon.

**(RAJ MOHAN SINGH)**  
**JUDGE**

April 08, 2015  
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