

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

CRM No. M-11326 of 2015 (O&M)

Date of Decision: 14.07.2015.

Jarnail Singh @ Babloo

... Petitioner

Versus

State of Haryana & another

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. R.S. Budhwar, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

....

TEJINDER SINGH DHINDSA.J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in criminal complaint No.119/1 dated 21.03.2009/01.07.2014 under Section 3 (1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act read with Sections 323/506 IPC.

While issuing notice of motion on 24.04.2015, the following order was passed by this Court:

“This is a petition under section 438 Cr.P.C read with Section 482 Cr.P.C seeking the benefit of anticipatory bail to the petitioner in criminal complaint No.119/1 dated 21.03.2009/01.07.2014 under section 3(1) (X) of S.C. S.T. Act read with sections 323, 506 I.P.C.

Counsel would submit that the complainant Maya Ram is serving as a Cashier with Punjab National Bank, Bilaspur Branch. It is contended that the petitioner has been falsely implicated and the complaint has been lodged only as a counter blast to an incident that took place one

day prior to lodging of the complaint i.e. on 3.3.2009, wherein the complainant himself had misbehaved in the bank premises with one lady namely Renu as also the present petitioner and in pursuance to which even a compromise was thrashed out. To substantiate such assertion counsel has referred to an application dated 3.3.2009 placed on record at Annexure P-5, which was addressed to the S.H.O, Bilaspur, Yamunanagar. Counsel further brings to the notice of this Court that in relation to the occurrence that took place on 3.3.2009 in which the complainant himself had misbehaved with the present petitioner, the employer namely Punjab National Bank has taken cognizance of such incident and has issued a show cause notice dated 24.3.2009 to the complainant and placed on record at Annexure P-6.

Notice of motion, returnable for 14.7.2015.

In the meanwhile, petitioner is directed to surrender before the Trial Court within a period of two weeks from today. On his doing so, he shall be released on interim bail subject to satisfaction of the Trial Court.”

As per office report, respondent No.2/complainant has been duly served. However, no representation has been caused on his behalf. As such, this Court would proceed by taking the contention noticed in the notice of motion order dated 24.04.2015 to have gone un rebutted.

Counsel appearing for the petitioner would submit that in terms of order dated 24.04.2015, the petitioner had duly appeared before the trial Court on 29.04.2015 and had been admitted to interim bail upon furnishing bail bonds as also surety in the like amount. Towards such assertion, counsel has furnished in Court today a certified copy of order dated 29.04.2015 passed by the learned Judicial Magistrate 1st Class, Bilaspur and

a copy of the same has been taken on record as mark 'A'.

In view of the fact that the petitioner has duly joined trial proceedings and coupled with the observations contained in the order dated 24.04.2015, this petition is allowed.

Order dated 24.04.2015 passed by this Court is made absolute.

Disposed of.

14.07.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**