

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

CRM-M 12435 of 2015

Date of decision : 22.04.2015

Jagdish & ors.

....Petitioners

V/s

Sultan & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. P.S. Jammu, Advocate for the petitioners.

RAJAN GUPTA J.

This is a petition filed under Section 438 Cr.P.C. seeking pre-arrest bail in a complaint case no. 130-I/2012/2014 dated 04.10.2012/12.03.2014 wherein petitioners have been summoned to face trial for offences under sections 3 & 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and sections 323/352/430/506/500 IPC.

Learned counsel submits that petitioners had preferred a similar petition before Additional Sessions Judge, Sirsa. However, same was rejected on the ground that section 18 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 would operate as a bar.

Under the circumstances, this petition is disposed of and petitioners are relegated to the remedy of seeking regular bail before the trial court. In the eventuality, petitioners move an application for bail within ten days from today, same shall be decided within a week thereafter.

Arrest of the petitioners shall remain stayed till the decision of the bail application.

April 22, 2015

(RAJAN GUPTA)
JUDGE

Ajay