

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M 13462 of 2015****Date of decision : 28.04.2015**

Kala @ Kuldeep Singh & ors.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Manuj Nagrath, 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. 37161 dated 17.04.2013 wherein petitioners have been summoned to face trial for commission of offence under sections 3(ii) (xi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and sections 323/354/506/34 IPC.

Learned counsel submits that petitioners had preferred a similar petition before Additional Sessions Judge, Ludhiana. 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.