

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 101

Criminal Miscellaneous No.M-15693 of 2015

Date of Decision: *May 14, 2015*

Tirath Singh

..... PETITIONER

VERSUS

State of Punjab & another

..... RESPONDENTS

. . .

CORAM: **HON'BLE MR. JUSTICE JASPAL SINGH**

. . .

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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PRESENT: - Mr. N.S. Diwana, Advocate, for the petitioner.

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Jaspal Singh, J (Oral)

1. This is a petition under Section 438 Cr.P.C. read with Section 482 Cr.P.C., preferred by Tirath Singh, seeking pre-arrest bail, feeling apprehension of his arrest in complaint case No.152 dated April 21, 2014 titled “Amarjit Singh vs. Harjinder Singh & another” under Section 379, 323, 148, 149, 506 IPC and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, ‘Act’), pending in the Court of Chief Judicial Magistrate, Fatehgarh Sahib.

2. Learned counsel for the petitioner is well aware of the fact that Section 18 of the Act clearly bars the applicability of Section 438 Cr.P.C. in a case where an offence, alleged to have been committed, falls within the purview of this Act. However, learned counsel feels satisfied in case Trial Court is directed to dispose of the bail application of petitioner within a specified period, to be moved by him, in case of his surrender before it.

3. The petition is disposed of with a direction that in case the petitioner surrenders before the Trial Court and moves an application for bail, Trial Court shall consider and decide the same within a period of three days from the date of its filing.

May 14, 2015
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(Jaspal Singh)
Judge