

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

CRM-M No.19836 of 2015 (O&M)
Date of Decision:15.06.2015

Suresh Hans and another **Petitioners**

Versus

Devender Kumar and another **Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. J. S. Sandhu, Advocate, for the petitioners.

RAJESH BINDAL J.

This is a petition under Section 438 read with Section 482 Cr.P.C. seeking pre-arrest bail in a complaint case No.12/15 dated 05.01.2015, wherein the petitioners have been summoned to face trial for offence under Section 3(1)(i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 323/506/504/341 IPC.

According to counsel for the petitioners, pre-arrest bail application has been rejected by the Additional Sessions Judge, Kurukshetra on the ground that Section 18 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 would operate as a bar. He further submitted that in the case of co-accused in the same complaint, this Court in CRM-M No.17072 of 2015 titled “***Girdhari Lal and another Vs. Devender Kumar and another***” has granted liberty to the petitioners therein for seeking regular bail after surrendering before the Court and their arrest has been stayed till the decision thereof.

Under the circumstances, this petition is disposed of, while relegating the petitioners to seek remedy of regular bail before the trial court. The petitioners may move an application before the Court below for bail before 1st July 2015, which shall be decided within a week thereafter.

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

(Rajesh Bindal)
Judge

15.06.2015
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