

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

CRM-M No.25488 of 2015

Date of Decision:-13.10.2015

Gurmit Kaur.

.....Petitioner.

Versus

State of Punjab & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Ms. G.K. Mann, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
along with HC Avtar Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Gurmit Kaur in Complaint Case No.89 dated 13.12.2013 under Section 3(X) (XI) and (XV) of the SC & ST (Prevention of Atrocities) Act, 1989, Police Station Chheharta, District Amritsar.

On the previous date of hearing following order was passed:-

“*Learned Counsel for the petitioner contended that no offence punishable under Section 3 of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is made out against the petitioner, as it is nowhere mentioned in the complaint that the accused were aware of the fact that the complainant belongs to the Scheduled Caste. She relied upon*

cases Pishora Singh Vs. State of Punjab 2002(2) RCR (Criminal) 215, Chaman Lal Goyal Vs. Kaur Singh 2008(1) RCR (Criminal) 377. She further contended that the dispute was only of the passage and there were no intention to humiliate the complainant on the ground that she belongs to Scheduled Case. She contended that on this point also the ingredients of the offence are not made out.

Notice of motion for 13.10.2015.

In the meanwhile, in case the petitioner appears before the learned trial Court within fifteen days from today, she shall be admitted to the interim bail to the satisfaction of learned trial Court. ”

At the time of hearing learned Counsel for the petitioner states that his client has appeared and has been granted interim bail by the learned trial Court.

In view of the above, interim bail granted vide order dated 03rd of August, 2015 is hereby made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

October 13, 2015
Vinay