

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-30748 of 2015
Date of Decision:-06.10.2015

Major Singh and others ...Petitioners

Versus

Amarjit Kaur and another ...Respondents

CORAM: HON'BLE MR.JUSTICE SHEKHER DHAWAN

Present:- Mr. L.M.Gulati, Advocate,
for petitioners.

Mr. A.S.Kler, DAG, Punjab.

SHEKHER DHAWAN, J.

Petitioners have applied for anticipatory bail under Section 438 Cr.P.C. in complaint case No.179 of 2014 dated 5.12.2013 (Annexure P-1) titled as “Amarjit Kaur Vs. Kuldeep Singh and others” under Section 3 (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989.

Learned counsel for the petitioners submitted that even perusal of the complaint establish that no case is made out against the present petitioners. In fact civil litigation is pending between the parties. More so, present case is counter blast to FIR No.66 dated 25.05.2013, under Sections 323, 324, 326, 148, 149 of IPC, Police Station Kamboh, District Amritsar. Custodial investigation of petitioners is not required in any way. However, they are ready to join the investigation. So they be released on anticipatory bail.

Learned State Counsel submitted that as per provisions of

Section 18 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, provisions of Section 438 Cr.P.C. are not applicable. So, petition be dismissed.

In view of the above facts and legal provisions, as contained in Section 18 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the present petition for anticipatory bail is not maintainable. Otherwise on merits also no case is made out for anticipatory bail. Therefore, the present petition stands dismissed.

October 06, 2015
msd

(SHEKHER DHAWAN)
JUDGE