

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M-39027-2015

Date of decision: November 19, 2015

Tilak Raj

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Anil Malik, Advocate for the petitioner.

Rajan Gupta, J.(oral)

This is a petition filed under Section 438 read with section 482 Cr.P.C. seeking pre-arrest bail in a complaint case bearing complaint No.55 dated 23.4.2010/19.10.2013, wherein the petitioner has been summoned to face trial under section 3 (x) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 506 IPC by Chief Judicial Magistrate, Rohtak.

Learned counsel submits that petitioner had preferred a similar petition before Additional Sessions Judge, Rohtak. 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 petitioner is relegated to the remedy of seeking regular bail before the trial court. In the eventuality, petitioner moves an application for bail within a week from today, same shall be decided within a week thereafter.

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

(RAJAN GUPTA)
JUDGE

November 19, 2015
'Rajpal'