

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-7884 of 2015 (O&M)

Date of Decision: 04.08.2015

Jarnail Singh

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. N.S. Dandiwal, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in complaint case under sections 323, 506, 34 I.P.C and section 3 (X) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Complaint No.RT-94/29.9.2009/6.7.2012 titled as Sukhwinder Kaur Vs. Balwinder Singh.

Even though, service upon the complainant Sukhwinder Kaur stands duly effected but no representation on her behalf has been caused.

It would be apposite to take notice of the contention made by learned counsel for the petitioner that even if, the contents of the complaint at Annexure P-1 are taken to be correct at the face value, no offence under section 3 (X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, would be made out as the alleged utterances were stated to be made within the confines of a residential premises and not in public view.

Counsel for the petitioner further states that the petitioner is otherwise ready and willing to face the trial proceedings.

The present petition is, accordingly, disposed of with a direction that in case the petitioner duly appears before the Trial Court within a period of two weeks from today, he shall be entitled to protection as regards arrest subject to satisfaction of Trial Court.

It is further made clear that the observations contained in this order shall have no bearing on the merits of the trial.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.08.2015

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