

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

CRM-M-8785 of 2015

Date of Decision: April 27, 2015

Gurmail Singh and another

....Petitioners

Versus

Sant Singh

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr.K.S.Chahal, Advocate
for the petitioners.

Mr.A.P.S.Sidhu, Advocate
for the complainant.

Rajan Gupta, J (Oral)

This is a petition under Section 438 Cr.P.C seeking pre-arrest bail in criminal complaint case No.184 dated 12.12.2013 registered against the petitioners under Section 3(1) (X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioners submits that bail application has been rejected by Additional Sessions Judge, Sangrur on the ground that petition under Section 438 Cr.P.C would not be maintainable in view of Section 18 of the SC/ST Act.

In view of above, petitioners are relegated to the remedy seeking regular bail before the trial court. Petitioners have already appeared before the trial court and released on interim bail. However, in view of bar contained in Section 18, petitioners may seek regular bail before the trial court. In case they do apply within 10 days from today, it shall be decided within a week thereafter.

Interim bail granted shall continue till then.

Disposed of.

**(Rajan Gupta)
Judge**

April 27, 2015
BB