

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-12870 of 2016

.....

Date of decision:22.8.2016

Jasvir Singh

.....Petitioner

v.

State of Punjab and another

.....Respondents

....

(2) Criminal Misc. No.M-13762 of 2016

.....

Boota Singh

.....Petitioner

v.

State of Punjab and another

.....Respondents

....

Present: Mr. Satbir Singh Gill, Advocate for the petitioners.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

Mr. T.P.S. Makkar, Advocate for the complainant-respondent
No.2.

.....

Inderjit Singh, J.

This order will dispose of the above mentioned two petitions
filed under Section 438 Cr.P.C. for grant of anticipatory bail in criminal
complaint No.47 of 2015 dated 19.5.2015 (Annexure-P.1) filed for the
offences under Sections 323, 506 and 34 IPC and Section 3(1)(x) of
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

titled as “Sewa Singh Versus Jasvir Singh and another” pending in the Court of Judicial Magistrate Ist Class, Malout.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. T.P.S. Makkar, learned Advocate has appeared for the complainant-respondent No.2 and contested these petitions.

I have heard learned counsel for the petitioners as well as learned Assistant Advocate General, Punjab appearing for the respondent-State and learned counsel for the complainant and have gone through the record.

First of all, it is a complaint case and the petitioners are not required for investigation or interrogation purposes. Secondly, the petitioners in view of the interim orders passed by this Court have already surrendered before the learned Judicial Magistrate Ist Class, Malout and have been released on interim bail by the Judicial Magistrate Ist Class.

Learned counsel for the petitioners argued that a false complaint has been filed as there was dispute regarding some labour charges etc. Further more, the offences are not made out as as per the complaint the words relating to caste have not been uttered at the public place, rather, at the house of the accused.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that the petitioners have already

surrendered before the trial Court in compliance with the orders passed by this Court and they have already been released on bail by the learned Judicial Magistrate Ist Class, Malout, therefore, no useful purpose will be served by sending them to custody. Hence, these petitions are allowed. The interim orders dated 12.4.2016 and 25.4.2016 passed in Cr. Misc. No.M-12870 of 2016 and Cr. Misc. No.M-13762 of 2016 respectively by this Court granting interim bail to the petitioners are made absolute.

August 22, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No