

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

205-A

**C.R.M-M No.16356 of 2016
Date of Decision : 18.10.2016**

Isham Singh

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Neeraj Sheoran, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl.A.G., Haryana.

Mr. Ashit Malik, Advocate
for the complainant-respondent No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in Complaint No.11 of 2012 dated 16.02.2012, under Sections 3(I)(II)(III) & (X) and 3(2)(V) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989

read with Sections 323, 504, 506, 499, 500, 169, 120-B, 34 IPC, Police Station City Thanesar.

On 12.05.2016 the following order was passed:-

“Having been summoned as accused in a private complaint filed by complainant under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, alleging that the petitioner has abused the complainant in a drunken condition in the name of her caste besides assaulting her, petitioner apprehends arrest.

Notice to the respondents for 2.8.2016.

Meanwhile, an interim direction is issued that the petitioner will put in appearance before the summoning Court on or before 30.5.2016. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the summoning Court.

Mr.Ashit Malik, Advocate, at this stage, has intervened on behalf of the complainant to oppose the application for pre-arrest bail relying upon the provisions of Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It will be open to the counsel for the complainant to raise arguments on next date of hearing. ”

Learned counsel for the petitioner states that the matter has been settled between the parties.

Learned counsel for the respondent No.2 as well as the

learned Additional Advocate General have accepted this factual assertion.

In this view of the matter, I see no reason to deny the concession of anticipatory bail to the petitioner.

Petition is allowed. Interim order dated 12.05.2016 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

October 18, 2016
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No