

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-2764 of 2016

Naresh Bala

... Petitioner

versus

State of Punjab and another

... Respondents

Crl. Misc. No. M-2765 of 2016

Rahul Kumar

... Petitioner

versus

State of Punjab and another

... Respondents

Date of decision : 30.03.2016

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. G.S. Sandhu, Advocate
for the petitioner (in Crl. Misc. No. M-2764 of 2016)

Mr. Satpal Singh, Advocate
for the petitioner (in Crl. Misc. No. M-2765 of 2016)

Mr. V.P.S. Sidhu, AAG Punjab

Mr. Sukhpreet Kaur, Advocate
for respondent No. 2

ANITA CHAUDHR, J.(ORAL)

These two separate petitions have been filed by the accused who have been summoned in a complaint case registered under Sections 323/341/354 IPC and Section 8 of SC/ST Act.

On the last date of hearing, the petitioners had stated that they

were ready to appear before the Court below. The petitioners have

appeared before the Court below and were admitted to interim bail.

Learned counsel for the complainant refers to ***Phulla Dass vs. State of Punjab and another, 1998 Cri LJ 15*** and urges that the application for anticipatory bail is not maintainable since the charges are under SC/ST Act.

Perusal of the complaint shows that the complainant did not approach the police nor had filed a complaint. The allegations will have to be tested at the trial. The petitions are allowed and interim orders dated 25.01.2016 are hereby made absolute subject to the condition that the petitioners will comply with the conditions contained in Section 438(2) Cr.P.C.

(ANITA CHAUDHRY)
JUDGE

March 30, 2016

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