

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

CRM-M No. 28272 of 2016 (O&M)

Date of decision: 17.08.2016

Gurjit Singh @ Lally

...Petitioner

Versus

Badan Singh and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Deepak Bhardwaj, Advocate
for the petitioner.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in a complaint case bearing No.14 dated 02.08.2014, registered under Sections 500 & 506 IPC and Section 3(x) of the Scheduled Castes & the Scheduled Tribes (Prevention of Atrocities) Act, 1989, pending in the Court of JMIC, Rupnagar.

The learned counsel contends that the basic ingredient of the offence that the petitioner was aware of the caste of the complainant is missing in the complaint. The complainant is a person of shoddy character and is involved in a large number of irregularities including embezzlement of funds of the society.

Heard.

There is nothing on record which suggests that the action of the petitioner is justifiable. Vide order dated 16.05.2016, learned Addl. Sessions judge, Rupnagar while disposing of the application directed the petitioner to surrender before the trial Court and further directed the trial Court to decide the bail application within two days, however instead of surrendering to the process of the Court, the petitioner opted to approach this Court which is not justified. Keeping in view the facts and circumstances of the case and the act of the petitioner, this Court is not inclined to grant the bail.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

17.08.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No