

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

CRM-M No.36072 of 2015

Date of Decision:-20.01.2016

Sohan Lal & Anr.

.....Petitioners.

Versus

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sanjay Jain, Advocate for the Petitioners.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana.

Mr. Sandeep Singh Jattan, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioners namely Sohan Lal and Amit Kumar who have been summoned in Complaint Case No.206 dated 31.5.2012 under Sections 323, 506 of Indian Penal Code read with Section 3 of the Prevention of Atrocities to the Scheduled Caste and Scheduled Tribes Act, Police Station Ambala City to face trial.

It is contended that the present complaint is a result of a counter blast to the previous litigation being faced by the son of the complainant Amarjit Kaur and her husband at the instance of Sohan Lal-petitioner no.1.

Still further it is contended that no offence under Section 3(x) of the SC/ST

Act is made out since he alleged occurrence has occurred in the house of the complainant.

Learned Counsel for the complainant submits that the present petitioners have deliberately concealed the fact of inclusion of the offence under Section 452 IPC.

The answer furnished is that there is no mentioning of the said offence under Section 452 IPC in the order dated 24.09.2015 passed by the learned Additional Sessions Judge, Ambala (P-1) declining pre-arrest bail. The explanation thus is reasonable and hence accepted. Therefore, on the oral request the offence under Section 452 IPC is ordered to be included in the title of the present petition.

Be that as it may, it is submitted that pursuant to the interim directions passed by this Court on 18.12.2015 petitioners have surrendered themselves before the trial Court and have since been granted interim bail vide order dated 07.01.2016.

In view of the aforesaid developments the interim bail granted by the trial Court vide order dated 07.01.2016 pursuant to the directions passed by this Court vide order dated 18.12.2015 is hereby made absolute.

Disposed of in the above terms.

(JASWANT SINGH)
JUDGE

January 20, 2016
Vinay