

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

**CRM NO. M-13822 OF 2017
DECIDED ON : 09.11.2017**

Kulwant Singh and others

...Petitioners

versus

The State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Tribhawan Singla, Advocate,
for the petitioners.

Mr. Kanisth Ganeriwala, AAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in complaint case No. COMI-7/2016 dated 13.01.2016 titled as, "Sukhcharan Kaur v. Kulwant Singh and others" under Sections 452/506 IPC read with Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as "the SC/ST Act").

Learned counsel for the petitioners contends that allegations in the complaint do not *prima-facie* constitute an offence under the SC/ST Act and the complaint is an offshoot of a civil dispute between the parties. The husband of complainant had filed a civil suit against the petitioners for refund of money in terms of the Agreement to Sell. In support of his contentions, he has cited a judgment of co-ordinate Bench of this Court in the

case of "***Ajit Singh v. State of Haryana and another***" 2012
(1) RCR (Criminal) 507.

This Court, by the order dated 25.09.2017, had directed the petitioners to appear before the trial Court and on their doing so, they were ordered to be released on interim bail to the satisfaction of trial Court.

Learned counsel for the petitioners contends that the petitioners have appeared before the trial court on 17.10.2017 and have been granted interim bail.

In view of the above and without expressing any opinion on the merits of case, the order dated 25.09.2017, granting interim bail to the petitioners, is hereby made absolute. However, the petitioners shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

NOVEMBER 09, 2017
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1. Whether speaking/reasoned : YES/NO
2. Whether reportable : YES/NO