

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

CRM-M-21020-2017

Date of decision: 12.9.2017

Lt. Col. (Retd.) P.S. Uppal

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.DS Sandhu, Advocate for the petitioner

Mr.AS Gill, Sr.DAG, Punjab

JITENDRA CHAUHAN, J.

The present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of anticipatory bail to the petitioner in a complaint case No. RT-93 dated 10.5.2010/ 26.5.2015, under Section 351 of the Indian Penal Code and Sections 3,4, 10 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, titled as “Paramjit Kaur vs. Lt. Colonel P.S. Uppal”, pending in the Court of learned Judicial Magistrate, 1st Class, Faridkot.

This Court on 2.6.2017 passed the following order:-

“Learned counsel inter alia contends that after retirement, petitioner was re-employed on contractual basis with ECHS and was posted as Officer Incharge ECHS Faridabad in the year 2005 and served there till 2011. Further the allegations levelled by respondent

No. 2 were enquired into by Court of Enquiry on the directions of Brigadier Sunil Kumar, Station Commander and it was found that no casteist/bad remarks were made by the petitioner. However, the petitioner has now been summoned in a private complaint filed by respondent No. 2.

Notice of motion for 12.09.2017.

In the meantime, petitioner can appear before the trial Court and submit his bail bonds and the trial Court shall accept the same.”

The learned counsel states that the order dated 2.6.2017 has been complied with. He has circulated certified copy of order dated 8.6.2017 passed by learned Judicial Magistrate, 1st Class (Duty), Faridkot, which is taken on record as Mark 'A'.

In view of the above, without expressing any opinion on the merits of the case, the order dated 2.6.2017 is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

12.9.2017
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No