

**Criminal Misc. M- No. 40882 of 2016 (O&M)**

Date of decision : April 18, 2017

Sonia and others

.....Petitioners

Versus

State of Punjab and another

....Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL**Present: Mr. Gursimran Singh, Advocate  
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

None for respondent No. 2.

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**LISA GILL, J.**

It is submitted, at the outset, that petitioner No. 5 has since passed away on 10.11.2016, therefore, this petition is rendered infructuous qua him.

Ordered accordingly.

Prayer in this petition is for grant of anticipatory bail to the petitioners in Complaint No. 5 of 2016 dated 18.08.2016 registered under Sections 3 and 4 of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act read with Sections 506, 379, 354-A(1)(i) and (ii) and 34 IPC at Police Station City Banga.

It is submitted that the petitioners have been falsely implicated in the above said complaint. There is in fact a civil dispute regarding recovery of ₹1,02,000/-. One Vinod Kumar has preferred a suit for recovery against petitioner No. 1 on the basis of a pronote. Respondent No. 2 is one of the witnesses in the said case. The present case is nothing but a method

of creating pressure. CRM-M No. 9853 of 2017 has been filed by the petitioners seeking quashing of the above said complaint. The above said petition is listed for hearing on 18.05.2017 after issuance of notice. Further proceedings before the learned trial Court have been stayed vide order dated 23.03.2017 in CRM-M No. 9835 of 2017. Petitioners No. 1 to 3 appeared before the learned trial Court on 20.01.2017 and petitioners No. 4 and 6 appeared before the learned trial Court on 02.02.2017. They were admitted to interim bail in terms of order dated 22.11.2016 passed by this Court. Certified copy of orders dated 20.01.2017 and 02.02.2017 passed by learned Judicial Magistrate First Class, Shaheed Bhagat Singh Nagar produced in Court today are taken on record subject to just exceptions.

Despite service none has appeared on behalf of respondent No. 2.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, orders dated 20.01.2017 and 02.02.2017 passed by the learned Judicial Magistrate First Class, Shaheed Bhagat Singh Nagar are made absolute.

April 18, 2017  
rts

**(Lisa Gill)**  
**Judge**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No