

CRM-M-9155-2017

[1]

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

(Sr. No.142)

CRM-M-9155-2017

Date of Decision:-March 17, 2017

Gurdeep Singh alias Deepa and others

.....Petitioners

V/S

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Ravi Chadha, Advocate,
for the petitioners.

A.B. Chaudhari, J. (Oral)

The petitioners seek grant of anticipatory bail arising out of Complaint Case No.4 of 2016 dated 20.02.2016 titled as “Dilpreet Singh versus Gurdeep Singh and others” registered under Sections 326/324/323/295-A/504/506/148 and 149 of Indian Penal Code, 1860 and Section 3 (10) V of Scheduled Castes and Scheduled Tribes Act, Prevention of Atrocities Act 1989, at Police Station-Majitha, District-Amritsar.

Rule. Heard forthwith.

Notice of motion.

At the asking of the Court, Mr. Arshdeep Kaler, DAG Punjab accepts notice on behalf of the respondent-State.

The trial Court had rejected the petition for grant of anticipatory bail in view of the bar contained under Section 3(10)V of the Scheduled Castes and Scheduled Tribes Act.

Learned counsel for the petitioners has shown to me Annexure P/6-certificate of caste, where the caste of the complainant is 'Mazbi' caste which has been recognized as per the Constitution as scheduled caste, as against the allegation that the victim was abused in the name of caste 'Chura'.

Be that as it may, it is a prima facie case made out by the petitioners for grant of anticipatory bail. Admittedly, no complaint was lodged with the police station and the complaint case was filed after lodging of the police case by the petitioner against the complainant. In the background of the fact that, there existed earlier dispute amongst the parties. Petition for grant of bail is allowed.

In the event of arrest, petitioners shall be released on ad-interim anticipatory bail in Complaint Case No.4 of 2016 dated 20.02.2016 titled as Dilpreet Singh versus Gurdeep Singh and others, registered under Sections 326/324/323/295-A/504/506/148 and 149 of Indian Penal Code, 1860 and Section 3 (10) V of Scheduled Castes and Scheduled Tribes Act, Prevention of Atrocities Act 1989, at Police Station-Majitha, District-Amritsar, on furnishing of their bail bonds amounting of ₹10,000/- with one surety of like amount to the satisfaction of the trial Judge.

March 17, 2017

Pankaj

**(A.B. Chaudhari)
Judge**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No