

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-917 of 2017 (O&M)

Date of Decision: 22.03.2017

Shera & another

--Petitioners

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sunil Saharan, Advocate for the petitioners.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C read with Section 482 Cr.P.C praying for the grant of anticipatory bail to the petitioners in a private complaint bearing no.122 dated 05.09.2012 under section 3(1)(X) of the SC/ST Act and Section 506 I.P.C, registered at Police Station, Siwani, District Bhiwani.

While issuing notice of motion the following order was passed by this Court on 16.1.2017:-

“The present petition has been filed under Section 438 Cr.P.C. read with Section 482 Cr.P.C. seeking concession of anticipatory bail to the petitioners in a private complaint bearing No.122, dated 05.09.2012, under Section 3(1)(X) of the SC/ST Act and Section 506 IPC, registered at Police Station Siwani, District Bhiwani.

Counsel would submit that it is a case of false implication. To substantiate such argument, it is submitted that the complainant had initially lodged an application with the police authorities on 07.08.2012 in relation to an alleged occurrence that took place on 06.08.2012. The allegations were thoroughly probed and no offence under the provisions of SC/ST Act was found to have been made out. Subsequently, on 19.08.2012, a complaint has been lodged which has led to the

summoning of the present petitioners by the Court vide order dated 05.11.2016 and in which a different version has been set out.

Notice of motion, returnable for 22.03.2017.

In the meanwhile, it is directed that in case the petitioners duly appear before the trial Court within a period of one week from today, they would be granted ad interim protection as regards arrest subject to the satisfaction of the trial Court.”

Learned counsel appearing for the petitioner has produced in Court today a certified copy of the order dated 18.1.2017, passed by the S.D.J.M., Siwani and perusal of the same would reveal that the petitioners herein duly appeared before the court and were admitted to bail upon having furnished requisite bail bonds and sureties.

Accordingly, the present petition is allowed. The order dated 16.1.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

22.03.2017
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Whether speaking/reasoned: Yes
Whether Reportable: No