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

CRM-M No.1217 of 2018

Date of Decision: 21.03.2018

HARDIP SINGH AND ANR.

.....Petitioners

Vs

HARJINDER SINGH @ LAKHA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Sukhmeet Singh, Advocate
for the petitioners.

Mr. R.S. Bains, Advocate
for the respondent.

RAJ MOHAN SINGH, J. (Oral)

After hearing learned counsel for the parties, it can be noticed that the occurrence took place on 10.05.2014 at about 8:30 p.m., FIR No.33 dated 11.05.2014 under Sections 452, 324, 323, 34 IPC at Police Station Sadar Faridkot was lodged by the petitioners' side against the complainant. The present complaint was filed on 25.08.2014 in respect of same occurrence, but different allegations for offences under Sections 323, 379, 34 IPC and Section 3/4 of the SC & ST Act were made.

On 15.01.2018, following order was passed by this Court:-

“Learned counsel for the petitioners contends

that lodging of complaint is the counter blast to FIR No.33 dated 11.05.2014 under Sections 452, 324, 323, 34 IPC. The complaint lacks material pleadings in the context of knowledge on the part of the petitioners that the complainant was belonging to a Scheduled Caste category.

Learned counsel further contends that the alleged utterances are not sufficient to attract any such culpability as alleged against the petitioners in terms of humiliation allegedly caused to the complainant.

Notice of motion for 05.03.2018.

In the meanwhile, petitioners are directed to appear before the trial Court on 23.01.2018, i.e. the date already fixed and in the event of their appearance, they shall be enlarged on interim bail to the satisfaction of the trial Court.”

Perusal of the complaint *prima facie* would show that the complainant has not mentioned about knowledge in respect of his caste.

At this stage, without meaning anything on merits of the case, I deem it appropriate to confirm the interim order dated 15.01.2018 as the petitioners have already appeared before the trial Court and have been granted interim bail by the trial Court to its satisfaction. Ordered accordingly.

Petition stands disposed of.

March 21, 2018

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No