

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 16355 of 2018 (O&M)

Date of decision : 25.9.2018

...

Shiv Dayal Singh @ Bhupa and another

.....Petitioners

vs.

State of Punjab and another

.....Respondents

**Coram: Hon'ble Mr. Justice H. S. Madaan**

Present: Mr. H.R. Bhardwaj, Advocate  
for the petitioners.

Mr. Rakeshinder Singh Sidhu, Assistant Advocate General,  
Punjab.

None for the complainant.

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**H. S. Madaan, J. (Oral)**

Learned counsel for the petitioners has placed on record certified copy of the order passed by SDJM, Moonak, showing that petitioners - Shiv Dayal Singh @ Bhupa and Rama Singh @ Ram Singh, have since appeared in the trial Court and have been admitted to bail.

Both the petitioners being summoned in a complaint case, in that way, there is no occasion for their custodial interrogation. Sending them behind the bars shall not serve any purpose. The disposal of complaint is likely to take some time.

As a result of investigation of the case by the police, it was found that no offence punishable under the SC&ST Act, 1989 is made out. It is a matter of trial, as to whether essential ingredients of offence under Section 3/4 of the SC& ST Act, 1989, are fulfilled or not.

In these circumstances, the interim bail granted to the petitioners vide order dated 30.4.2018 is made absolute, subject to fulfillment of conditions envisaged under Section 438(2) Cr.P.C.

The petition in that way is allowed.

**25.9.2018**  
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**( H.S. Madaan )**  
**Judge**

Whether speaking / reasoned                      Yes / No

Whether reportable                                      Yes / No