

CRM-M-2083-2018 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2083-2018 (O&M)

Date of Decision: 23rd January, 2018

Gurmail Singh & another

...Petitioners

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Narinder Kumar Awasthi, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CRM-2434-2018

Application is allowed, subject to all just exceptions.

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It is the contention of the learned counsel for the petitioners that earlier FIR No.49 dated 11.03.2010, under Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, was registered at Police Station Naraingarh, allegations in which, after investigation, were found false and a cancellation report in the said FIR was submitted. The complainant, being not satisfied with the investigation, filed a criminal complaint bearing No.RBT-9 of 2011/2017, which was initially dismissed by the trial Court, however, on a revision petition preferred by him, the said order was set aside and the case remanded back to the trial Court resulting in issuance of summons against the petitioners as accused under Section 3 of the Scheduled Castes and Scheduled Tribes (prevention

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of Atrocities) Act, 1989. Therefore, petitioners have approached this Court by way of present petition for grant of anticipatory bail.

Counsel for the petitioners contends that custodial interrogation of the petitioners is not required as nothing has to be recovered from them rather in the police investigation, the allegations were found false. He, therefore, contends that the petitioner will appear before the trial Court on 02.02.2018, the date already fixed in the trial and on his appearance, he may not be arrested.

In case the petitioners appear before the trial Court on or before 02.02.2018 and if an application is moved by them for grant of regular bail, the petitioners will be admitted to bail to the satisfaction of the trial Court.

The present petition stands disposed of with above directions.

(AUGUSTINE GEORGE MASIH)
JUDGE

23rd January, 2018
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No