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

CRM-M-43446-2018 (O&M)

Date of decision:04.12.2018.

RANDHIR SINGH

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Jasvinder Singh Saini, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

CRM-42684-2018

Prayer in this application filed under Section 482 Cr.P.C. is for placing on record documents Annexures P-6 & P-7.

For the reasons stated in the application, same is allowed and the documents Annexures P-6 & P-7 are taken on record, subject to all just exceptions.

CRM-M-43446-2018

Prayer in this petition filed under Section 438 Cr.P.C. read with Section 482 Cr.P.C. is for grant of concession of anticipatory bail to the petitioner in case FIR No.154 dated 19.09.2018 registered under Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, "the Act") at Police Station Jhansa, District Kurukshetra.

Learned counsel for the petitioner has argued that aforesaid FIR

the parties where similar allegations were made and the matter was compromised. Now again by taking undue benefit of the provisions of the SC & ST Act, the present FIR has been registered.

Learned State counsel has submitted that in view of Section 18 of the Act, there is a bar to entertain an application under Section 438 Cr.P.C. and the petitioner was required to approach the proper forum.

Having heard learned counsel for the parties, this Court finds that no doubt the present petition has been filed under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for grant of anticipatory bail, but there being a specific bar as provided under Section 18 of the Act, in case the petitioner appears before the trial Court and moves an application for grant of regular bail, the trial Court shall admit him on bail subject to its satisfaction.

Disposed of.

(HARI PAL VERMA)
JUDGE

04.12.2018
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.