

In the High Court of Punjab and Haryana at Chandigarh

221

CRM-M-16120-2019(O & M)
Date of Decision: 14.05.2019

JASPAL SINGH AND ORS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. A. S. Sekhon, Advocate for the petitioners.

Ms. Ruchika Sabharwal, AAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners are seeking anticipatory bail in Criminal Complaint No. COMI/0001442 of 2014/COMI/199 of 2014 RT-30 dated 28.08.2014/26.05.2015 titled 'Rimpy Kaur versus Kulwant Singh and others' under Sections 436, 452, 325, 323, 295, 295-A, 148, 149 and 120-B of the Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 ('SC & ST Act' - for short), pending in the Court of Shri Chetan Sharma, PCS, JMIC, Faridkot.

Learned counsel for the petitioners contends that the allegations against the petitioners *prima facie* do not constitute an offence under the SC & ST Act, as in the complaint before the police with regard to same incident on 15.07.2014 the complainant along with others has merely alleged that their houses were wrongly declared as illegal by the Deputy Commissioner and the officials of the administration and the police had tried to demolish the same.

These officials were also accompanied by the petitioners, who include the Sarpanch and other members of the village panchayat. He also contends that petitioners No.3 and 4 themselves belong to scheduled castes and, therefore, they could not have been proceeded under the SC & ST Act. Even otherwise the allegations would not prima facie constitute an offence under the SC/ST Act.

A coordinate Bench of this Court, by the order dated 08.04.2019, had directed petitioners to appear before the trial Court and in the event of their doing so, they were ordered to be released on interim bail on their furnishing bail/surety bonds to the satisfaction of the trial Court.

Learned State counsel, on instructions from ASI Baldev Singh, states that petitioners have surrendered before the trial Court and have been released on interim bail in terms of the order dated 08.04.2019.

In view of the submissions of learned counsel for petitioners, the order dated 08.04.2019 granting interim bail to the petitioners is made absolute.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

May 14, 2019

A.Kaundal

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