

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

CRM No.M-37019 of 2018 (O&M)

Date of Decision: April 10, 2019

Sudhir Kumar alias Suri

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Anurag Chopra, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.168 dated 17.04.2018 under Sections 3 (1) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, and Section 67 of the Information Technology Act, registered at Police Station Civil Lines, Amritsar.

Notice of motion.

Ms.Monika Jalota, DAG, Punjab has put in appearance on behalf of the respondent-State and contested the petition. Mr.Rahul Kumar, Advocate for Mr.Simranjit Singh, Advocate has appeared on behalf of the complainant and also contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

The perusal of the record shows that allegations against the

present petitioner is that he is President of Shiv Sena, Punjab, who often comments on Balmiki Dalits Society and often sends recordings and he is abusing Dalit society straightway, whereby, he is trying to cause communal riots and openly use abusive language on Dalits in social media.

The complainant Meghnath and Shakti Kalyan received message on 'whatsapp'. I have gone through the translation version of the message from the police file, which shows that after the death of a shiv sainik, accused sent messages by using derogatory remarks against scheduled casts and abusive language has also been used.

The petitioner has been in custody since 22.07.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

However, nothing stated above, shall constitute my opinion on merits of the case.

April 10, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No