

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

CRM-M No.53466 of 2018 (O&M)

Date of Decision: 09.07.2019

Vijay Singh

..... Petitioner

Versus

Babu Lal Meena and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Jitender Dhanda, Advocate for the petitioner.

Respondent No.1 in person.

Mr. Arun Beniwal, DAG, Haryana for respondent No.2.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in complaint case bearing No.49-1 dated 18.07.2017, titled as '**Babu Lal meena Versus Jai Durga Cooperative Salary Earner Thrift and Credit Society Limited and others**', under Section 3 (1) (P) & (Q) and Section 3 (2)-II of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment Rules 2016) read with Sections 209 and 120-B of the Indian Penal Code, 1860.

This Court, while issuing notice of motion on 04.12.2018, passed the following order:-

“ Contends that CRM No.M-24382 of 2018 for quashing of the complaint dated 17.07.2017 (Annexure P-1) as well as summoning order dated 25.04.2018 (Annexure P-6) under Section 3(1)(P) & (Q) and Section 3(2)-ii S.C./S.T (POA)

Act, 1989 (Amendment Rules, 2016) read with Section 209 and 120-B of the Indian Penal Code is under challenge before this Court and notice of motion has been issued for 14.01.2019.

Notice of motion for 14.01.2019.

To be heard along with CRM-M-24382-2018. In the meanwhile, the petitioner is directed to surrender before the learned trial Court and he shall be released on interim bail till the next date of hearing to the satisfaction of learned trial Court. ”

Contents that in terms of above order, petitioner has already joined the investigation and regularly appearing before learned trial Court and the same is duly acknowledged by the respondent/complainant, who is appearing in person.

In view of above, interim order dated 04.12.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

It is made clear that the petitioner shall fully co-operate with the learned trial Court and would not repeat such lapse(s) in future.

The observations may not be considered as an expression of opinion on the merits of the case.

July 09, 2019

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>