

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

**CRR No.1397 of 2019 (O&M)
Date of Decision: July 01, 2019**

Manju

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rakesh Bakshi, Advocate
for the petitioner.

INDERJIT SINGH, J.

The petitioner has filed this revision petition against State of Haryana under Section 401 Cr.P.C. challenging the order dated 23.04.2019 passed by learned Addl. Sessions Judge, Yamuna Nagar at Jagadhri vide which the application filed by the petitioner for framing the charge against the accused under provisions of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, has been dismissed.

Learned counsel for the petitioner argued that learned trial Court has not framed the charge under SC/ST Act and application has been dismissed wrongly and illegally.

I have heard learned counsel for the petitioner and have gone through the record.

From the perusal of the record and suicide note placed on

record, I find that there is no allegation of any type under SC/ST Act, in the

FIR against the accused. As per FIR, it is simply a case of suicide. At the time of arguments, it is argued that charge under Section 306 IPC has already been framed against the accused. Even, it is nowhere mentioned that deceased belonged to scheduled caste or accused is not a scheduled caste. There is no allegation in the FIR that deceased was harassed being scheduled caste. Even, in the suicide note, there is no such mention of these facts.

Keeping in view the above facts, I find that there is no prima facie case for framing the charge under Section 3 of SC/ST Act. The impugned order dated 23.04.2019 passed by learned Addl. Sessions Judge, Yamuna Nagar at Jagadhri, is correct, as per law and the same is upheld.

Therefore, finding no merit in the present petition, the same is dismissed.

July 01, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No