

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

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CRM-M-7496-2021

Date of Decision: 17.02.2021

Kamaldeen & others

...Petitioners

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Mrigank Sharma, Advocate, for the petitioners.

*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. Learned counsel for the petitioners submits that it is a case where FIR was registered on 31.07.2018, which is in fact a cross-version of another FIR lodged against the complainant party. It has been submitted that the instant FIR has been lodged by way of exaggeration inasmuch as 47 persons have been nominated as accused and after two years of lodging of the FIR, an offence under Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act has been added.
2. Learned counsel has further submitted that some other co-accused had earlier filed a petition seeking grant of anticipatory bail i.e. CRM-M-18734-2020 titled as 'Aslam & others Vs. State of Haryana & another', which was disposed of vide order dated

14.12.2020 (Annexure P-13) by way of passing the following order:

- “6. While noticing the aforesaid position, wherein there is no grievous injury attributed to the accused and that a large number of persons have been arrayed as accused in FIR and it is a case of cross-version, the petition is disposed of with a direction to the petitioners to surrender before the trial Court within one week from today. In case the petitioners surrender before the trial Court and move an application for grant of regular bail in the forenoon of the day, the trial Court shall endeavour to dispose of the same expeditiously preferably on the day of filing of such application itself.”
3. Notice of motion.
4. On the asking of the Court, Mr. Ramesh K. Ambavta, AAG, Haryana, accepts notice of behalf of respondent No.1/State.
5. Keeping in view the nature of allegations and the fact that it is a case where SC&ST Act came to be added after about two years of lodging of FIR and while also noticing that co-accused have also been granted relief by this Court vide order dated 14.12.2020, the instant petition is disposed of in the same terms. It is, thus, ordered that in case the petitioners surrender before the trial Court within one week from today and move an application for grant of regular bail in the forenoon of the day, the trial Court shall endeavour to dispose of the same expeditiously preferably on the day of filing of such application itself.
6. Needless to mention, in case such an application is filed, the trial Court shall dispose of the same while keeping in view the fact that

identically situated co-accused are already on bail and that the petitioners have otherwise been on bail in respect of other offences.

17.02.2021

Vimal

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**