

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 23614 of 2021 (O&M)

Date of decision : 23.6.2021

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Darshan Kaur

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. J.P. Devgan, Advocate for the petitioner

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

This is second petition for pre-arrest bail under Section 438 Cr.P.C., filed by petitioner – Darshan Kaur, aged about 65 years, w/o Lakhbir Singh, resident of village Nathu Chak, Tehsil Patti, District Tarn Taran, being accused in case FIR No. 0031 dated 6.2.2021, for offences under Sections 323, 406, 498-A, 506, 34 IPC and Section 3 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Mahesh Nagar, District Ambala.

The first petition had been dismissed vide detailed order dated 17.5.2021, passed in CRM-M-19125 of 2021, copy of which has been placed on record as Annexure P-5, for the reason of being

not maintainable, in view of Section 18 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

This second petition is not maintainable in view of observations made by the Apex Court in judgment dated 28.1.2021, passed in Criminal Appeal No. of 2021 arising out of SLP (Crl.) No. 213 of 2001, titled as **G.R. Ananda Babu vs. The State of Tamil Nadu and another.** This is rather misuse of the process of law and amounts to wasting of precious time of the Court.

The petition deserves to be dismissed with special costs, but keeping in view the fact that the petitioner is an aged woman, I refrain from imposing costs upon her.

As such the petition stands dismissed.

23.6.2021
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No