

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

101

CRM-M-51286-2021

Date of Decision: December 09, 2021

Jaswant Singh

.....Petitioner(s)

Vs.

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Bikram Chaudhary, Advocate for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana

ANOOP CHITKARA J. (ORAL)

The present petition has been filed under Section 438 read with Section 482 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.266 dated 23.09.2021 under Section 3(1)(r)(s) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Kalayat, District Kaithal.

Learned State counsel has objected to the grant of anticipatory bail to the petitioner by giving reference to Section 14(A) sub Clause2 of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Act, 1989, which is extracted as follows:-

“Notwithstanding anything contained in sub-section (3) of section 378 of the Code of Criminal Procedure, 1973 (2 of 1974), an appeal shall lie to the High Court an order of the Special Court or the Exclusive Special Court granting or refusing bail.”

Given above, learned counsel for the State submits that an appropriate remedy has been provided by the Legislature and the present petition is not maintainable.

At this stage, learned counsel for the petitioner wants to withdraw the present petition with the liberty to file fresh one.

Dismissed as withdrawn with the aforesaid liberty.

**(ANOOP CHITKARA)
JUDGE**

December 09, 2021

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Whether speaking/reasoned: Yes/No

Whether reportable: No