

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

CRM-M-1487-2022 (O&M)
Date of decision : 24.01.2022

Sukhchain Singh

.....Petitioner(s)

versus

State of Punjab and Another

.....Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. D.S. Bhinder, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

ALKA SARIN, J. (ORAL)

Heard in virtual mode.

This is the first petition under Section 482 read with Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in complaint case filed by respondent No.2 bearing No.105 dated 22.07.2014 and COMA No.236 of 2014 dated 22.07.2014 under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 323/506/365/34 of the Indian Penal Code, 1860.

Learned counsel for the petitioner would contend that the complaint was filed in the year 2015 and on 16.07.2015 the petitioner in the present case was summoned. However, on 10.03.2017 the petitioner was declared as a proclaimed offender. Vide order dated 24.11.2021 passed by this Court in CRM-M-38574-2021, the said PO proceedings were set aside. Learned counsel for the petitioner would further contend that qua the co-accused, the complaint stands quashed by this Court vide order dated 24.05.2019 passed in CRM-M-7082-2019 since the parties had entered into a compromise.

Learned counsel for the petitioner would further contend that totally false allegations have been levelled regarding casteist remarks on account of a dispute between the parties, which is apparent from the fact that

the matter now stands compromised with the other co-accused.

Learned counsel for the petitioner has relied upon the order dated 12.04.2016 passed in CRM-M-12601-2016 to contend that the co-accused had also been granted relief by this Court.

Notice of motion.

On the asking of the Court, Mr. H.S. Multani, AAG Punjab accepts notice on behalf of the State and he is not in a position to deny the factual aspects as contended by learned counsel for the petitioner.

Heard.

In view of the above especially the fact that the matter with the co-accused stands compromised and the complaint qua him stands quashed by this Court vide order dated 24.05.2019 passed in CRM-M-7082-2019 as also the fact that order declaring the petitioner as proclaimed offender stands set aside by this Court vide order dated 24.11.2021 passed in CRM-M-38574-2021, I deem it appropriate to dispose off the present petition with a direction that in case the petitioner surrenders before the Trial Court/Duty Magistrate concerned within a period of ten days from today and moves an application for regular bail, the Trial Court shall hear and decide the same on that very day.

Disposed off accordingly.

24.01.2022
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO