

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101

CRM-M-15480-2022
Date of Decision:April 13, 2022

Sarabjit Singh and othersPetitioner(s)

Vs.

State of PunjabRespondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Aman Dhir, Advocate for the petitioners
Mr. Kirat Singh Sidhu, DAG, Punjab

ANOOP CHITKARA J. (ORAL)

FIR No.	Dated	Police Station	Sections
33	20.04.2017	Jhunir, District Mansa	302, 307, 427, 148, 149 IPC and Sections 25 and 27 of the Arms Act, 1959, Section 3(2) of the V of Scheduled Castes & the Scheduled Tribes (Prevention of Atrocities) Act, 1989

Notices served upon the official respondent through the State's counsel.

1. After dismissal of the application for anticipatory bail by the Sessions Court, filed under section 438 of the Code of Criminal Procedure, 1973 (CrPC), the petitioners apprehending arrest in the FIR captioned above have come up before this Court again under Section 438 CrPC seeking anticipatory bail.
2. As per Section 14-A of Scheduled Caste & Scheduled Tribes (Prevention of Atrocities) Act, 1989, (SCSTPOA), an appeal would lie against an order of bail. Given above the present petition is not maintainable.
3. Since the petitioners have chosen the wrong provision of law, the petitioners shall be at liberty to file an appeal under section 14-A of SCSTPOA and to enable the petitioners to do so, there **shall be a stay of arrest for seven days from today**. If the petitioners choose to file an appeal within the above time, the stay order shall be substituted by the order passed in such a bail application. However, if the petitioners do not file a bail within the period

described above, the stay shall automatically stand vacated without further reference to this court.

Petition disposed of in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

April 13, 2022
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Whether speaking/reasoned: Yes/No
Whether reportable: No