CRM-M-27873-2022

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

CRM-M-27873-2022
Decided on:01.07.2022

Sukhdeep Singh ...Petitioner

Versus

State of Punjab …Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Mikhail Kad, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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FIR No.	Dated	Police Station	Sections
318	06.12.2019	Lehra, District Sangrur	452, 354, 323 & 34 IPC (Sections 3 & 4 of SCSTPOA added later on and Sections 452 & 34 IPC deleted)

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 petitioner apprehending arrest in the FIR captioned above has 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 petitioner has chosen the wrong provision of law, the petitioner shall be at liberty to file an appeal under section 14-A of SCSTPOA and to enable the petitioner to do so, and there **shall be a stay of arrest for two weeks from today**. If the petitioner chooses 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 petitioner does not file a bail within the period described above,

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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

01.07.2022
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Whether speaking/reasoned: Yes
Whether reportable: No.

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