

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

201-3

CRM-M-52192-2021

Date of Decision: 24.03.2022

Rahul and others

Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ajit Kumar Sharma, Advocate for the petitioners  
Mr. Manish Bansal, DAG, Haryana.  
Mr. Bhupinder Malik, Advocate for the complainant.

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| FIR No. | Dated      | Police Station           | Sections                                                    |
|---------|------------|--------------------------|-------------------------------------------------------------|
| 460     | 09.11.2021 | Israna, District Panipat | 148, 149, 323, 506, 34 IPC and Section 3 of SC/ST Act, 1989 |

|                                      |                                                                                                       |
|--------------------------------------|-------------------------------------------------------------------------------------------------------|
| Criminal Case no. before trial Court | Bail application Nos.475/478 of 2021<br>CIS Nos.BA-3135/3136/3139 of 2021<br>Date of order:01.12.2021 |
|--------------------------------------|-------------------------------------------------------------------------------------------------------|

The petitioners have come up before this Court under Section 438 read with Section 482 Cr.P.C. seeking anticipatory bail.

- The petitioners had filed a bail application before the learned Additional Sessions Judge, Panipat, which was dismissed on 01.12.2021
- Learned State counsel has opposed the petition on the ground that the same is not maintainable.
- As per Section 14 A of the SC/ST Act, an appeal is appropriate remedy against the order of rejection of bail. There is no reason to bypass the statutory remedy. Thus, present petition is not maintainable.
- Confronted with this learned counsel for the petitioners wants to withdraw the petition with the liberty to file fresh one and also seek interim protection till the filing of such petition.
- The prayer is innocuous.
- Given above, the present petition is disposed as withdrawn with the liberty to file an appeal under Section 14A of SC/ST Act.
- There is stay of arrest of the petitioners for 14 days enable them to avail appropriate legal remedy.
- It is clarified that the interim protection shall vacate automatically after the expiry of period of 14 days.

(ANOOP CHITKARA)  
JUDGE

24.03.2022

SONIA ARORA  
2022.03.25 15:40  
I attest to the accuracy and  
integrity of this document

sonia arora

Whether speaking/reasoned:  
Whether reportable:

Yes / No  
No.