

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

CRM-M-52866-2021

Date of decision : 18.07.2022

Balwinder Singh @ Bittu

.....Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rakesh Gupta, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. R.S. Sidhu, Advocate
for respondent No.2.

RAJESH BHARDWAJ, J. (Oral)

This petition has been filed by the petitioner praying for grant of anticipatory bail in case FIR No.290 dated 28.11.2021, under Sections 354, 506, 509 of IPC read with Section 3(1)(w)(i) of SC/ST Act, 1989, registered at Police Station Lehra, District Sangrur.

Learned counsel for respondent No.2 has questioned the maintainability of this petition in view of Section 14A(ii) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act'). Learned counsel for the petitioner submits that though there are no allegations pertaining to the Atrocities Act, however, in the FIR, the offences are mentioned. He candidly submits that he may be allowed to withdraw the present petition with liberty to file an appeal under Section 14-A of the Act. He prays there was an interim in his favour and he may be granted interim protection to enable him to file appeal.

After hearing the prayer made by counsel for the petitioner, it is found to be genuine that the petitioner be allowed to withdraw the present petition with liberty to file an appeal under Section 14-A of the Act. If the petitioner files appeal under Section 14-A of the Act as prayed for on or before 25th July, 2022 then he would have an interim protection from the arrest. Needless to say that if appeal is not filed within a stipulated time, interim protection granted would automatically stand vacated.

Petition is dismissed as withdrawn in the abovesaid terms.

18.07.2022
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No