

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

CRA-S-985-202-

Date of Decision:16.05.2023

MANJIT SINGH

.... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr.R.K.Shukla, Advocate for the petitioner.

Mr.H.P.S.Ghuman, Advocate for the complainant.

Mr.Gurdarshan Singh Sidhu, AAG, Punjab

SANJEEV PRAKASH SHARMA, J (ORAL)

The petitioner by way of this appeal assailed the order dated 20.03.2023 passed under Section 14-A of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 by the court of Special Judge, Patiala whereby application under Section 438 Cr.P.C. filed by the petitioner for granting anticipatory bail on the basis that no prima facie case made out against him under Section 354 IPC and under Section 3(i)(xi) of SC and ST Act, 1989 has been dismissed.

Learned counsel for the petitioner submits that the prosecutrix is working as a Sweeper in the Nagar Panchayat, Ghagga and she was not performing her duties properly and she was warned several time as she use to misuse and insulted other employees and in order to save herself from any further action, the prosecutrix has filed this complaint. It is also stated that the complainant has tendered written apology.

Per contra learned counsel appearing for the complainant submits that the complainant/ prosecutrix was being continuously harassed while performing her duties and she was also molested several times and ultimately she has filed this complaint and is a case of victimization of a person working in a office.

The petitioner has no concern with the performance of the duties of the complainant as he is not the supervisor but he is a clerk in the Municipal Council and has misused his office.

Having noticed the respective submissions and without commenting on further merits of the case and taking into consideration the allegations I am satisfied that no case is made for granting anticipatory bail to the petitioner.,

Petition is accordingly dismissed.

16.05.2023

Raman

**(SANJEEV PRAKASH SHARMA)
JUDGE**

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