

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

110

CRM-M-9804-2024

Date of decision: 26.02.2024

Sakuntla Devi

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Preeti Singh, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking cancellation of bail granted to respondent No.2 vide order dated 31.01.2024 by the learned Trial Court in case FIR No.376 dated 27.11.2023 under Sections 323, 342, 506 and 34 of the IPC, Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Sections 3(1)(a), 3(1)(d), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the SC/ST Act') at Police Station Sadar Dadri, District Charkhi Dadri.

2. Learned counsel while drawing the attention of this Court to the impugned order (Annexure P-1) dated 31.01.2024, has submitted that the said order had been passed without as much as issuing notice to the complainant/victim, which was mandatory under the SC/ST Act.

3. Notice of motion.

4. On asking of the Court, Mr. Rahul Mohan, Sr. DAG, Haryana accepts notice on behalf of respondent No.1-State.

5. Learned State counsel, on instructions, has not been able to

dispute the submissions made by the counsel opposite that no notice had been issued to the complainant/victim as mandated under the SC/ST Act.

6. I have heard learned counsel and perused the relevant material on record.

7. In view of the above, the matter is remanded back to the Trial Court concerned to pass a fresh order after issuing notice to the complainant/victim, in accordance with law.

8. The instant petition stands disposed of accordingly.

26.02.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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