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

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Date of Decision : 11.09.2025

KULWINDER SINGH

.... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

.... RESPONDENTS

CORAM:HON'BLE MR. JUSTICE SUBHAS MEHLA

Present : Mr.Naveen Batra, Advocate
for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. Prayer is for grant of anticipatory bail to the petitioner in case bearing FIR No.153 dated 25.11.2017 registered under Section 294 of IPC (charges likely to be framed under Section 3 of Scheduled Casts and Scheduled Tribes (Prevention of Atrocities Act, 1989) (for short, 'SCST Act') and at Police Station Bullowal, District Hoshiarpur.

2. Learned counsel for the petitioner contended that in the present case, the police had initially filed a report under Section 294 IPC and the petitioner is facing trial before the Magistrate. After the examination of PW1-Mehanga Ram, the Magistrate committed the case to the Court of Sessions on an application moved under Section 323 Cr.P.C. for trial. It is further submitted that vide order dated 05.03.2025, the learned Sessions Court passed an order for framing of charge under Section 3(1)(X) of SCST Act. Learned counsel further contended that the petitioner was on bail and had been regularly appearing before the Court of Judicial Magistrate. He moved an application for anticipatory bail before the learned Sessions Court but the same was dismissed vide order dated 11.08.2025. Learned counsel



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submitted that the petitioner is ready to surrender himself before the trial Court and requested for grant of interim protection that he will not be arrested by the police in this case as the petitioner is not required for any custodial interrogation.

3. Notice of motion.

4. Mr. Subhash Godara, Additional Advocate General, Punjab., accepted notice on behalf of respondent-State and vehemently opposed the petition.

5. Heard.

6. Keeping in view the peculiar facts and circumstances of the case and the fact that the petitioner is not required by the police for any investigation purpose or for any custodial interrogation and the petitioner is ready to surrender himself before the trial Court as stated by learned counsel for the petitioner, the present petition is disposed of with a direction to the petitioner to appear before the trial Court on 18.09.2025, the date already fixed before it. The trial Court is also directed to decide his bail application in accordance with law on the same day and till then, his arrest warrant shall remain in abeyance and he will not be arrested by the police in this matter. If the petitioner fails to surrender before the trial Court within stipulated time, then the relief granted by this Court shall be deemed to be withdrawn

7. Disposed of.

(SUBHAS MEHLA)

JUDGE

11.09. 2025

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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No