



CRA-S-2621-2025 (O&M)

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

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**CRA-S-2621-2025 (O&M)
Reserved on : 29.08.2025
Pronounced on : 05.09.2025**

Amrik Singh

..... Appellant

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. H.S. Dhindsa, Advocate for the appellant.

Mr. Eklavya Darshi, DAG Punjab.

SURYA PARTAP SINGH, J.

1. This is an appeal against the order dated 05.08.2025, hereinafter being referred to as 'impugned order', passed by the learned Special Judge, Ludhiana, designated under Section 14 of the Scheduled Tribes (Prevention of Atrocities) Act, 1989, hereinafter being referred to as 'SC&ST Act', whereby the application for anticipatory bail moved by the appellant has been dismissed.

2. The abovementioned application for anticipatory bail was moved by the petitioner in a case lodged against him vide FIR No.12 dated 15.02.2025 for the commission of offence punishable under Sections 115(2), 118(1), 296, 351(1), 3(5), 126(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 3 of the SC&ST Act, Police Station Jodhan, District Ludhiana.

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3. The abovementioned FIR came into being on the statement of Jaspreet Singh, wherein he alleged that in the morning of 13.02.2025, his mother Pritam Kaur and sister-in-law Swaran Kaur told him that they had gone to their plot in shamlat land for preparing cow dung cakes, and that Hardeep Singh @Deepa had arrived there and prevented them from making cow dung cakes. It was also told that Hardeep Singh @Deepa had used abusive language, also.

4. According to complainant, thereafter he along with Navjot went to the spot and found Amrik Singh, his son Inderjit Singh and Hardeep Singh there. As per complainant, Amrik Singh was carrying a baseball bat, Inderjit Singh an iron rod and Hardeep Singh a kirtch (sharp-edged weapon). The complainant further alleged that all the abovementioned persons attacked him, inflicted injuries on his person and used abusive language in the name of his caste. It is the case of the prosecution that in view of abovementioned statement, a formal FIR was lodged and the investigation taken up.

5. Heard.

6. It has been contended on behalf of appellant that an error of judgment has been committed by the learned Special Judge while dismissing the application for anticipatory bail, merely by recording a finding that the abovementioned application was not maintainable. According to learned counsel for the appellant, the learned Special Judge has failed to appreciate that any offence under Sections-3 and 4 of the SC&ST Act is not made out in view of allegations contained in the FIR.

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7. It has also been contended by learned counsel for the appellant that in fact, son of appellant was injured by the complainant in the same incident and with regard to injury, suffered by the son of appellant, a medico-legal report was prepared by the doctor. According to appellant, with regard to above incident, the police has recorded the DDR No.30 dated 26.03.2025 at the instance of appellant's son. As per learned counsel for the appellant, as a counter-blast, to wriggle out of the consequences of abovementioned complaint of appellant's son, the respondent No.2 has resorted to filing of false complaint after 5 months of the incident. It has also been pointed out by learned counsel for the appellant that at initial stage, when the matter was investigated by the police, it was found that there was no substance in the complaint of respondent No.2, but later on, due to political pressure, a false FIR has been lodged.

8. Learned State Counsel has controverted the abovementioned arguments. As per learned State Counsel, in the instant appeal, no valid ground for setting aside of order, passed by the learned Special Judge, Ludhiana, is made out. According to learned State Counsel, on the basis of complaint, the FIR has been lodged and the contents of FIR reveals that an offence under Sections-3 and 4 of the SC&ST Act is made out against the appellant. As per learned State Counsel, once the abovementioned offence is made out and there is specific bar for grant of anticipatory bail, in view of Section 18 of the SC&ST Act, a right conclusion has been drawn by learned Special Judge while dismissing the application for anticipatory bail.

9. The record has been perused carefully

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10. A perusal of record shows that:-
- a) there is no denial of the fact that respondent No.2 belongs to Scheduled Caste.
 - b) both the appellant and respondent No.2 are residents of the same village and known to each other. This fact rules out the possibility that the appellant was not aware of the caste of the respondent No.2.
 - c) it is an admitted fact, as contained in the memorandum of appeal, that an incident had taken place and, if the version of the appellant is taken on, on its face value, injuries were suffered by the son of petitioner also, in the abovementioned incident. The abovementioned stand of the appellant establishes a fact that on 13.02.2025, a quarrel had taken place.
 - d) the allegations contained in the FIR shows, prima facie, that the incident had taken place at a public place in public view where several persons were present.
 - e) otherwise also, as per allegations, contained in the FIR, hurt was caused on the person of respondent No.2. In this regard, it is relevant to mention here that hurt is a scheduled offence under SC&ST Act and Section 3(2)(va) of the abovesaid Act brings the abovementioned act of the appellant within the category of an offence under SC&ST Act.
11. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, in my opinion, while denying the benefit of anticipatory bail to the appellant, a right view has been drawn by learned Special Judge, Ludhiana and it has rightly been observed that the application of appellant seeking for anticipatory bail is not



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maintainable. Hence, I hold that the present appeal is devoid of any merits and deserves dismissal.

12. The present appeal is hereby dismissed, accordingly.

13. Pending miscellaneous application(s), if any, shall also stand disposed of.

**(SURYA PARTAP SINGH)
JUDGE**

SEPTEMBER 05, 2025

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No