



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

CRA-S-1834-2025

Date of Decision:17.07.2025

Ashok Kumar Dutta

...Appellant

vs.

State of Punjab and Anr.

...Respondent

Coram : **Hon'ble Mr. Justice N.S.Shekhawat**

Present: Mr. G.B.S Dhillon, Advocate
for the appellant.

Mr. I.P.S Sabharwal, DAG, Punjab.

Mr. Baljinder Singh Singhvi, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The appellant has filed the present appeal against the impugned order dated 19.05.2025 passed by the Judge Special Court, Ludhiana, whereby, anticipatory bail petition filed by the appellant was ordered to be dismissed in a complaint case No.SC/1270/2021 titled as **“Ashok Kumar Vs. Ankush Dutta and others”**, under Sections 323,341,506,148,149 of IPC and Section 3(1)(r) SC & SC Act.

2. Learned counsel for the appellant submits that in compliance of the order dated 28.05.2025, passed by this Court, the appellant has surrendered before the Court of Learned Judge, Special Court, Ludhiana and has been admitted to interim bail. Thereafter, the appellant is continuously appearing before the Trial Court.

3. On the other hand learned State counsel assisted by learned counsel

for the complainant have vehemently opposed the submissions made by learned counsel for the appellant on the ground that in view of Section 18 and 18-A of of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the present appeal is not maintainable before this Court.

4. I have heard learned counsel for the parties and perused the record carefully.

5. In the present case, initially one FIR was ordered to be registered against complainant Ashok Kumar and his three companions on the basis of the complaint filed by Ankur Dutta. Even, the complainant had moved a complaint, which was dismissed by SITs headed by different police officials and the enquiry reports concluded that the allegations levelled by the complainant/respondent were false. Thus, at this stage, it would be debatable as to whether the offence under Section 3 of “SC and ST” Act is made out against the appellant or not. The respondent/complainant is yet to lead evidence before the Trial Court to prove the offence against the appellant.

6. In view of the above, the interim order dated 28.05.2025 is made absolute. It is made clear that the appellant shall continue to appear before the Trial Court on each and every date of hearing and shall not absent himself from the Trial Court proceedings, without prior permission of the Court.

(N.S.SHEKHAWAT)
JUDGE

17.07.2025
hitesh

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