

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:103640



208

CRA-S-2205-2025 (O&M)
Date of Decision: 11.08.2025.

Murli Manohar

...Appellant.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Naresh Kumar Jandoli, Advocate for the appellant.

Mr. P.S. Pandher, AAG, Punjab

SUKHVINDER KAUR, J. (Oral)

Appellant has filed appeal against impugned order dated 10.07.2025 passed by learned Additional Sessions Judge, Hoshiarpur, vide which his anticipatory bail application in FIR No.73 dated 17.06.2025, under Sections 351(1), 126(2) of BNS and Section 3 of SC/ST, Act, registered at Police Station Chabbewal, Hoshiarpur, has been dismissed.

Learned counsel for the appellant has contended that the appellant has been falsely implicated in the present case. There is delay of 07 days in registration of the FIR. The FIR has been registered under Section 3 of SC/ ST Act without prescribing any particular sub clause, under which the appellant attracts the penal provision under the section. The trial Court had not appreciated the overall facts in the present case while dismissing the anticipatory bail application.

Learned counsel representing the State filed status report and opposed the bail application while contending that the appellant uttered derogatory words against caste of the complainant and therefore, he does not deserve the concession of anticipatory bail.

I have considered the arguments and have gone through the record carefully.

Learned counsel for the appellant has drawn the attention of the Court to Annexure A2, the direction petition filed before Co-ordinate Bench of this Court in which order dated 29.05.2025 was passed. He has submitted that wife of complainant is Sarpanch of village and as the aforesaid direction petition had been filed against her, so the appellant has been falsely implicated in the present case. He has also pointed out to Annexure A3, and has submitted that the appellant filed a complaint against Raman Kumar son of Des Raj, regarding the dispute of Panchayat street in front of ancestral house of the appellant, who has attested the FIR, which shows that the appellant has been falsely implicated in the present case. The aforesaid contentions raised by learned counsel for the appellant are a matter of trial.

At this stage, as per the FIR, there are specific allegations against the appellant that he had appellant used derogatory language and castiest remarks against the complainant and the specific words so uttered have also been quoted, then the learned Additional Sessions Judge, Hoshiarpur has rightly held that it attracts provisions of SC/ST Act the statutory bar under Section 18 of SC/ST Act in granting of the anticipatory bail comes into play and has rightly dismissed the anticipatory bail application filed by the appellant by passing the impugned order.

Accordingly without commenting on the merits of the case, the present appeal stands dismissed.

(SUKHVINDER KAUR)
JUDGE

11.08.2025.

Komal

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