

Cr.M.P.(M) No. 422 of 2009,  
Cr.M.P. (M) No. 423 of 2009 and  
Cr.M.P. (M) No. 424 of 2009.

29.5.2009 Present: Mr. Rajesh Verma, Advocate for the petitioner in all the three applications.

Mr. R.K. Sharma, Sr. Addl. A.G. with Mr. Rajinder Dogra, Addl. A.G. and Mr. Ramesh Thakur, A.A.G. for the respondent.

These are applications under Section 439 of the Code of Criminal Procedure for granting bail to the petitioners in FIR No. 26 of 2009 dated 20.5.2009 registered at Police Station, Pachhad at Sarahan under Section 3 (10) (5) (14) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocity) Act, 1989.

Mr. Rajesh Verma has strenuously argued that the petitioners are innocent persons and have been falsely implicated in this case. He then contended that the petitioners belong to business family and the complainant owed them money. It is only when the petitioners requested the complainant to pay the money; he lodged complaint with the police in order to harass the petitioners. They have denied using the expression as mentioned in the complaint.

The learned Senior Additional Advocate General has vehemently argued that the petitioners have used language against the complainant which is not permissible under the law.

I have heard the parties and perused the record carefully.

The petitioners belong to business family. They are permanent residents of village Khaska Katch, Tehsil Pachhad, District Sirmaur. No recoveries are to be effected from them. It appears that the relations between the parties were strained when the petitioners had demanded money owned by the complainant to them. In these

circumstances, no useful purpose would be served by detaining them in jail.

Consequently, the petitioners have made out a case for their release on bail. Accordingly, the application is allowed. The petitioners are ordered to be released on bail in case FIR No. 26 of 2009 dated 20.5.2009 registered at Police Station, Pachhad at Sarahan under Section 3 (10) (5) (14) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocity) Act, 1989 on their furnishing personal bond in the sum of Rs. 10,000/- with one surety each in the like amount to the satisfaction of the learned Sessions Judge/Additional Sessions Judge, Sirmaur at Nahan.

The observations made in this order are for the disposal of these applications and the same shall not be treated as an expression or opinion on the merits of the case.

Copy 'Dasti'.

(Rajiv Sharma), J.

May 29, 2008.  
(cr)