



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

212

**CRA-S-828-2025 (O&M)
Date of Decision: 07.08.2025**

Rahul

..... Appellant

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Ajit Singh, Advocate and
Mr. Aman Talwar, Advocate for the appellant.

YASHVIR SINGH RATHOR, J. (Oral)

1. This appeal is directed against the order dated 17.01.2025, passed by learned Additional Sessions Judge, Bhiwani, vide which concession of regular bail to the appellant has been declined for the offences under Sections 115, 118(1), 118(2), 351(3) and 3(5) of BNS, 2023 and Section 3(2) VA of the Schedules Castes and Scheduled Tribes (Prevention of Atrocities) Act, (for short 'SC/ST Act') in FIR No. 150 dated 18.09.2024, registered at Police Station Civil Lines, Bhiwani, District Bhiwani.

2. The present case was registered on the basis of complaint given to the police by Nikhil son of Satyanarain, with the allegations that on 16.09.2024, he was going with Ganesh Visarjan Yatra near Hansi Gate and felt thirsty. When he reached near Children's Hospital Patel Nagar Bhiwani to drink water at about 4:30 pm, Rahul along with two unknown



boys came there on a scooty from behind and they passed casteist remarks towards him. When he objected, Rahul gave knife blows in his chest and ribs. Other two unknown boys had kicked and had beaten him. They also threatened to kill him and fled away from the spot along with knife and their scooty. He informed his brother, Akhil, who took him to the hospital for treatment and he sought action against him. The appellant applied for bail, but his bail application was dismissed vide impugned order dated 17.01.2025.

3. Learned counsel for the appellant has argued that the appellant has been falsely implicated. General allegations have been levelled regarding hurling of casteist abuses and the specific words or abuses allegedly uttered by the accused have not been disclosed in the FIR. Learned counsel further contended that though victim has suffered grievous injuries, yet he has been discharged from the hospital. The trial is likely to take sufficiently long time to conclude. Appellant is in custody since 08.11.2024 i.e. for the last around 9 months and in these circumstances, his further detention is not required and he may be released on bail.

4. On the other hand, learned State counsel has filed status report by way of affidavit of Mr. Anoop Kumar, Deputy Superintendent of Police, Bhiwani-II, Haryana, which is taken on record. Mr. Devinder Singh, Advocate has appeared on behalf of victim-complainant and filed his Memorandum of Appearance, which is also taken on record. Learned State counsel and counsel for the victim-complainant have opposed the appeal.



5. Appellant has already undergone 9 months of imprisonment as an undertrial. As to whether the offence under Section 3(2) VA of the SC/ST Act, will be made out or not will be a debatable question during the trial as the alleged casteist remarks or abuses have not been specifically disclosed. Victim stands discharged from the hospital and in these circumstances, further detention of the appellant is not required.

6. Considering all the aforesaid facts and circumstances of the case, but without commenting anything on the merits of the case, appeal is allowed. Impugned order dated 17.01.2025, passed by learned Additional Sessions Judge, Bhiwani, is set aside. The appellant is ordered to be released on bail on his furnishing requisite bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned.

(YASHVIR SINGH RATHOR)
JUDGE

07.08.2025
pooja saini

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