



CRA-S-1768-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRA-S-1768-2025 (O&M)

Decided on : 28.05.2025

SAURABH ALIAS SONU

.....Appellant

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTHPresent: Mr. Sanjiv Gupta, Advocate,
for the appellant.

Mr. S.S. Pannu, Addl. AG, Haryana.

SANJAY VASHISTH, J.

1. Present appeal has been filed by the appellant, challenging the order dated 12.05.2025, passed by learned Additional Sessions Judge, Karnal, whereby the regular bail application of the appellant was dismissed, in case, FIR No.273 dated 15.04.2025, under Sections 115(2), 117(2), 190, 191(3), 351(2), 134 of BNS and Section 3(1)(r), 3(1)(s), 3(2) (va) of SC/ST Act, registered at Police Station City Karnal, District Karnal.

2. Learned counsel for the appellant contends that the primary allegation against the appellant is that complainant, namely Ravinder, who belongs to the Scheduled Caste (SC) community, had gone to the residence of Smt. Suman to obtain signatures on a petition/consumer complainat.

As per the facts detailed in the petition, it appears that Smt. Suman, Supriya, and the accused persons all reside in the same locality.



3. Counsel for the appellant submits that dispute actually arose due to a dog bite incident involving a dog owned by Smt. Suman and Supriya. It is alleged that a scuffle ensued, during which the complainant, Ravinder, sustained injuries resulting in a leg fracture. Consequently, offences under Sections 115(2) and 117(2) of the Bharatiya Nyaya Sanhita (BNS), along with certain offences under a special statute, were added.

4. It is further submitted that bar on granting bail would not be applicable in the present circumstances, particularly since the appellant has already been in custody since 28.04.2025 and is presently lodged in jail.

5. Counsel also contends that, as investigation is still ongoing, custodial interrogation of the appellant is no longer required, given that he is currently in judicial lock-up.

6. On advance notice and in response to the arguments addressed by learned counsel for the appellant, Mr. S.S. Pannu, Addl. AG, Haryana, produces the custody certificate dated 27.05.2025, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, appellant has already undergone 01 month period inside jail.

7. Learned State Counsel, assisted by Mr. Pardeep Sihmar, Advocate for the complainant, opposed the prayer and submissions made by learned counsel for the appellant. He submitted that appellant can be



seen in the CCTV footage and is also playing an active role in the incident. Furthermore, during his custodial interrogation, an iron pipe was recovered at his instance. However, learned State Counsel was unable to dispute the other factual submissions addressed by counsel for the appellant during the hearing before this Court. It is not in dispute that the appellant has been in judicial custody since 28.04.2025.

It is also informed that during the course of investigation, provisions under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act have been deleted.

8. Upon hearing the submissions made by the respective counsel and perusing the record, this Court finds that the injuries sustained include only one fracture, and the offences involved are triable by a Magistrate. Since the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act have already been deleted, as informed by the learned State Counsel, no useful purpose would be served by keeping the appellant in custody any longer. It is also evident that conclusion of the proceedings, including the trial, is likely to take a considerable amount of time.

9. Considering the totality of the circumstances, nature of the allegations against the appellant, and the factors noted above, this Court deems it appropriate to grant the concession of bail to the appellant.

10. Consequently, prayer made in the present appeal is **allowed**. Appellant is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief



Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

11. Needless to observe that the appellant shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

12.. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

13. Appeal stands disposed of.

(SANJAY VASHISTH)
JUDGE

28.05.2025

Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**