



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

CRA-S No.2421 of 2024 (O&M)

Date of decision: 11.07.2025

Vijay Kumar @ Vicky

...Appellant

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. D.S. Virk, Advocate for the applicant/appellant.

Mr. Neeraj Sheoran, DAG, Haryana for respondent No.1.

None for respondent No.2, despite service through his father.

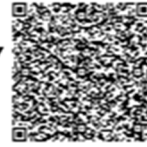
MAHABIR SINGH SINDHU, J.

CRM-27474-2024

Application for placing on record the copies of certain documents as Annexures A-1 to A-9 with further prayer seeking exemption from filing true typed/certified copies thereof.

Notice of the application to the non-applicants/respondents.

Mr. Neeraj Sheoran, learned DAG, Haryana accepts notice on behalf of the non-applicant/respondent No.1 and raises no objection to the present application.



In view of the above and for the reasons mentioned in the application, same is allowed subject to all just exceptions. Annexures A-1 to A-9 are taken on record. Registry will tag the same at appropriate place.

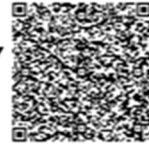
MAIN CASE

Present appeal has been filed under Section 14-A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (*for short 'the Act'*) against impugned order dated 30.05.2024, whereby regular bail application of appellant was dismissed by learned Special Judge, Kaithal in FIR No.31 dated 10.02.2021, under Sections 323, 302, 506 read with Section 34 of the Indian Penal Code, 1860 (*for short 'IPC'*); Section 3(2)(v)(a) of the Act, registered at Police Station Guhla, District Kaithal.

(2) Custody Certificate dated 10.07.2025 of the petitioner has been produced and which is taken on record. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.

(3) Short reply by way of an affidavit dated 09.07.2025 of Sh. Kuldeep Singh, DSP, Guhla, along with Annexure R-1, has been filed. The same is taken on record. Copy thereof supplied to the opposite side. Registry to tag the affidavit at appropriate place.

(4) Allegations are that appellant along with co-accused, armed with Screwdriver, attacked respondent No.2/*de facto* complainant-Sagar as well as Deepak (since deceased) and also used caste based derogatory remarks against them.



(5) Vehemently contends that no prosecution witness is supporting the charge(s) against the appellant. Further contends that appellant is in custody since 15.02.2021; charges were framed on 23.07.2021 and 04 prosecution witnesses are yet to be examined; thus, trial is likely to take sufficient long time and as such, further incarceration of the appellant would not serve any purpose. Specifically contends that there is no other criminal case is pending against the appellant.

(6) On instructions from ASI Naib Singh, the above factual position is not disputed by learned State Counsel; but he opposed the prayer on the premise that allegations against the appellant are very serious.

(7) Despite service of complainant/respondent No.2 through his father, no one has turned up; rather respondent No.2 is stated to be residing abroad.

(8) Heard learned Counsel for the parties and perused the paper-book.

(9) Concededly, appellant is in custody since 15.02.2021. Also there is no other criminal case is pending against him. None of the prosecution witnesses is supporting the charges against the appellant and as on today, 04 prosecution witnesses are yet to be examined; thus, trial is likely to take sufficient time. Moreover, this is not the objection raised by learned State Counsel that in case appellant is released on bail, he is likely to hamper the trial or pressurize the prosecution witnesses in any manner. Hence, in such a scenario, further incarceration of the appellant would not serve any purpose.



(10) Consequently, present appeal is allowed and impugned order dated 30.05.2024 is set aside. Appellant be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(11) Appellant shall fully co-operate with learned Special Court without seeking any unnecessary adjournments.

(12) The above observations be not construed as an expression of opinion on the merits of case.

(13) It is clarified that in case there is any misuse of concession of bail on the part of appellant, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

11th July, 2025
Gagan/SN

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>