

2025:PHHC:050169



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

225

**CRA-S-938-2025 (O&M)  
Date of decision: 21.04.2025**

**Jagsir Singh @ Jagga @ Jagseer Singh**

**...Appellant**

**Versus**

**State of Haryana and another**

**...Respondents**

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Baljinder Singh Sra, Advocate  
for the appellant.

Mr. Neeraj Poswal, AAG, Haryana.

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**MANISHA BATRA, J. (Oral)**

1. The present appeal has been filed under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocity) Act, 1989 (*for short 'the Act, 1989'*) by the appellant challenging the order dated 10.03.2025 passed by the Court of learned Additional Sessions Judge, Fast Special Track Court, Sirsa (*hereinafter referred to as 'the trial Court'*), whereby an application filed by them under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case arising out of FIR No. 016 dated 21.01.2025, registered under Sections 115, 118(1), 190, 191(2), 191(3) of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Act, 1989 at Police Station Kalanwali, District

2025:PHHC:050169



Sirsa, had been dismissed.

2. Brief facts relevant for the purpose of disposal of this appeal are that the aforementioned FIR was registered on the basis of a complaint submitted by the complainant Sukhdev Singh alleging that on 21.01.2025, his father Makhan Singh and himself were standing outside the street, when accused Happy Singh reached there in a motorcycle and started hurling abuses to them in the name of their caste due to the reason that they had voted in favour of one Kuldip Singh Phagu in the elections of Shiromani Gurdawara Prabandhak Committee which had taken place on 19.01.2025. Thereafter, accused Happy Singh called the present appellant and co-accused at the spot, who reached there armed with weapons and opened an assault upon the complainant and his father and caused injuries to them. While retreating, they insulted the respondent No. 2 in the name of his caste by saying that they would throw them out of the village. The injured were rushed to hospital and were medically examined. After registration of the FIR, investigation proceedings were initiated. The appellant and some of the co-accused were joined into investigation on 23.01.2025. They were interrogated and suffered disclosure statements admitting their involvement in the crime. Offences under Section 3(1)(s) and 3(2)(va) of the Act, 1989 were also added. Investigation now stands concluded and the appellant along with the co-accused is facing trial for commission of aforementioned offences. He had moved an application for grant of regular bail before the learned trial Court, which had been dismissed, vide order dated 10.03.2025.

3. It is argued by learned counsel for the appellant that the impugned order is not sustainable in the eyes of law as while passing the

2025:PHHC:050169



same, the learned trial Court ignored the fact that no injury whatsoever had been attributed to him. Even the caste related remarks, allegedly given to the respondent No.2, were attributed to co-accused Talwinder Singh and not to him. He was initially granted bail by the police but was joined again into investigation after inclusion of the provisions of the Act, 1989. He is in custody since 18.02.2025. The trial would take time. His further incarceration would not serve any useful purpose. Accordingly, it is urged that the impugned order is liable to be set aside, the appeal deserves to be accepted and the appellants deserve to be released on regular bail.

4. Notice issued to respondent No. 2-complainant was duly served upon him but none appeared on his behalf.

5. Written response has been filed by the respondent No.1-State. It is argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the appellant, he does not deserve to be given benefit of bail.

6. The rival submissions as made by the parties have been given due consideration.

7. The appellant by forming membership of an unlawful assembly and in prosecution of common object thereof is alleged to have assaulted the respondent No. 2 and other members of his party as well as his father on 21.01.2025 and is alleged to have caused simple as well as grievous injuries to them. He was initially released on police bail but was arrested again. He is in custody since 18.02.2025. The trial would take considerable time to conclude. Keeping in view the nature of allegations levelled against the appellant, the period of his incarceration as well as the attendant facts and

2025:PHHC:050169



circumstances of the case, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present appeal is allowed. The impugned order is set aside. The appellant is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present appeal and the same shall not be construed as an expression of opinion on the merits of the case.

**21.04.2025***Waseem Ansari***(MANISHA BATRA)  
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*