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

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**CRA-S No.647 of 2025
Date of Decision: 08.04.2025**

Sachin and another ... Appellants

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Mohit Nehra, Advocate,
for the appellants.

Mrs. Sheenu Sura, DAG, Haryana,
for the respondent-State.

None for respondent No.2.

MANISHA BATRA, J. (Oral)

1. This appeal has been filed under Section 14-A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (For short "Act, 1989") by the appellants challenging the order dated 15.02.2025 passed by the Court of learned Additional Sessions Judge, Bhiwani in case arising out of FIR No.468 dated 05.12.2024 registered under Sections 115(2), 126(2), 3(5) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") and Section 3(2) (va) of Act, 1989 at Police Station Tosham, District Bhiwani, whereby an application for grant of regular bail as filed by the appellants had been

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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 lodged by the complainant Sanjay Kumar on 05.12.2024 alleging therein that on 04.12.2024, he was going towards his house in his motorbike and had reached at bus stand Dhani Saral, then he was intercepted by the appellants who reached there on a motorbike. They stopped him and at once opened an attack upon him and caused injuries to him. They fled after extending threat of life to him. His silver chain, one gold earring and gold ring were found missing. After registration of FIR, investigation proceedings were initiated. Offence under Section 3 (2) (va) of Act, 1989 was added since the victim belonged to Scheduled Caste community. The appellants were arrested on 03.02.2025. Investigation now stands completed.

3. It is argued by learned counsel for the appellants that they have been falsely implicated in this case. They are in custody since 03.02.2025. The trial would take considerable time. No case for commission of offence under any provision of Act, 1989 has been made out. They have no criminal antecedents. Their further detention would not serve any useful purpose. Accordingly, it is urged that they deserve to be released on bail.

4. Learned Deputy Advocate General, Haryana, on the other hand, has argued that keeping in view the gravity of the allegations as levelled against the appellants, the appeal does not deserve to be allowed.

5. This Court has considered the rival submissions.

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6. The appellants are alleged to have opened an attack upon the complainant who was a member of Scheduled Caste community after wrongfully restraining him and are alleged to have voluntarily caused injuries to him besides criminally intimidating him. They are in custody since 03.02.2025. The trial would take considerable time. No useful purpose is going to be served by keeping them in custody any more. Keeping in view the nature of the allegations as levelled against the appellants, the period spent by them in custody and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, I am of the considered opinion that the impugned order dated 15.02.2025 does not deserve to be sustained. Accordingly, the same is set aside, the appeal is accepted and the appellants are ordered to be admitted to bail subject to their furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

08.04.2025

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**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No