

CRA-S-498 of 2025

2025:P-HC 023712



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

CRA-S-498 of 2025

Date of decision: 18.02.2025

Radhe Shyam

.....Appellant

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Suvir Sidhu, Advocate,
for the appellant.

Ms. Priyanka Sadar, AAG, Haryana.

NAMIT KUMAR, J.

1. That appellant has filed the instant appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 against the order dated 06.02.2025, passed by learned Additional Sessions Judge/FTSC, Sirsa, whereby the application filed by the appellant seeking interim bail from 15.02.2025 to 25.02.2025 in case arising from FIR No.156 dated 02.07.2023, registered under Sections 302, 323, 34, 354, 449 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act at Police Station Nathusari Chopta, for attending the marriage of his niece has been dismissed.

2. Learned counsel for the appellant contended that appellant is innocent and has been falsely implicated in the present case. He



further contended marriage of the niece of the appellant is to be solemnised from 17.02.2025 to 21.02.2025. He further contended that father of the niece of the appellant is habitual drunker and is unable to manage the ceremonies and appellant being head of the family is required to make arrangements for the marriage. He contended that the Court below without considering these facts has wrongly dismissed the application of the appellant seeking interim bail. Learned counsel further contended that keeping in view the facts and circumstances of the case, appellant may be granted interim bail to attend the marriage of his niece and the appellant is ready to abide by all the conditions to be imposed by this Court.

3. *Per contra*, learned State counsel opposed the prayer for grant of interim bail to the appellant and supported the order passed by the trial Court, dismissing his application for interim bail by submitting that appellant is involved in a grave offence under Section 302 IPC and three private witnesses are yet to be examined. He further contended that in case he is granted interim bail he may abscond.

4. I have heard learned counsel for the parties and perused the record.

5. Perusal of the application filed by the appellant for interim bail before the trial Court shows that date of marriage of his niece has been mentioned as 15.02.2025, however, in the marriage card (Annexure P-3) the date of marriage has been mentioned as 21.02.2025. Be that as it may, it is further pleaded that appellant being head of the family has to make arrangements for the marriage and also to invite his

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relatives and known persons, which does not appeal to this Court inasmuch as according to card (Annexure P-3), the marriage function has already commenced from 17.02.2025 and all the arrangements might have been made and invitations would have already been sent to all the near and dears. Further, the perusal of *Panchayatnama* (Annexure P-4) belies the contention of the appellant that father of his niece is habitual drunker and unable to handle the marriage arrangements as in the said *Panchayatnama* there is no mention that his brother (father of niece of the appellant) is a habitual drunker and would not be in a position to perform the marriage rituals of his daughter. Appellant's and his brother's family appears to be living jointly, therefore, there would have been other male members to perform the marriage ceremonies. Moreover, three witnesses are yet to be examined and there are serious allegations against the appellant. In case he is granted interim bail he may abscond and influence the witnesses. Therefore, this Court does not find any reason to interfere with the order dated 06.02.2025, passed by learned Additional Sessions Judge/FTSC, Sirsa dismissing appellant's bail application and grant interim bail to the appellant.

6. Dismissed.

(NAMIT KUMAR)
JUDGE

18.02.2025
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No