



CRA-S-1787-2025

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

CRA-S-1787-2025

Date of decision: 8<sup>th</sup> August, 2025

Rahul @ Chiku

...Appellant

Versus

State of Haryana and another

...Respondents

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

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Ms. Himani Arora, Deputy Advocate General, Haryana.

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**MANISHA BATRA, J (ORAL):-**

The instant appeal has been filed under Section 14-A of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'SC/ST Act') challenging the order dated 19.05.2025 passed by the Court of learned Additional Sessions Judge, Hisar in case arising out of FIR No. 141 dated 15.04.2025 registered under Sections 298 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 3(1)(t) of SC/ST Act at Police Station Agroha, District Hisar, whereby an application for grant of regular bail as filed by the petitioner, has been dismissed.

2. Brief facts of the case relevant for the purpose of disposal of this appeal are that the aforementioned FIR was registered on the basis of a complainant Monika, Sarpanch of village Nagthala, District Hisar alleging therein that the statue of Dr. Bhimrao Ambedkar as installed in the park of primary school of the village had been damaged by some unknown person.



After registration of FIR, investigation proceedings were initiated. During investigation, a secret information was received that the appellant and co-accused Rinku @ Paras had damaged the statue. They were arrested on 16.04.2025. On interrogation, they suffered disclosure statements admitting their involvement in the crime. Investigation now stands completed and challan has been presented before the learned trial Court. The appellant had moved an application for grant of regular bail which has been dismissed by the Court of learned Additional Sessions Judge, Hisar vide order dated 19.05.2025.

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 same, the concerned Court did not apply its judicious mind. There is no evidence to connect the appellant with the subject offence. The disclosure statement allegedly suffered by him cannot be considered to be admissible in evidence. He is in custody since 16.04.2025. Trial would take sufficient time to conclude. No useful purpose would be served by detaining him in custody anymore. It is, therefore, urged that the impugned order is liable to be set aside and the appeal deserves to be allowed.

4. Respondent No.2 had been duly served but none appeared on her behalf.

5. Written response has been filed by respondent-State. It is argued by learned State counsel that keeping in view the gravity of the allegations levelled against the appellant, he does not deserve to be released on bail. Therefore, it is urged that the appeal does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable



length and have gone through the record carefully.

7. The appellant is alleged to have damaged the statue of Dr. Bhimrao Ambedkar. Investigation now stands completed. Challan has been presented. Trial will take time to conclude. The appellant is in custody since 16.04.2025. In the considered opinion of this Court, no useful purpose would be served by keeping him in custody anymore. The appellant does not have criminal antecedents. In view of the above discussed facts, this Court is of the opinion that the appeal deserves to be allowed. Accordingly, the same is allowed, the impugned order is set aside and the appellant is ordered to be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main appeal has been allowed, pending application, if any, is rendered infructuous.

**[MANISHA BATRA]**  
**JUDGE**

**8<sup>th</sup> August, 2025**

*Parveen Sharma*

1. *Whether speaking/ reasoned* : *Yes / No*

2. *Whether reportable* : *Yes / No*