

238 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRA-S-3327-2023

Date of Decision: 07.12.2023

Surjeet Singh

...Appellant

vs.

State of Haryana and another

...Respondents

**Coram :** Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Sanjeev Majra, Advocate  
for the appellant.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

Mr. Vivek Dahiya, Advocate  
for Mr. Amit Khatkar, Advocate  
for respondent No.2.

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**N.S.Shekhawat J. (Oral)**

1. While issuing notice of motion on 20.11.2023, this Court had noticed the following contentions:-

*“The appellant has filed the present appeal under Section 14-A(2) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 (hereinafter to be referred as 'the SC and ST Act') before this Court to challenge the impugned order dated 06.11.2023 passed by the Court of Additional Sessions Judge, Karnal, whereby, the regular bail petition filed by the appellant in case FIR No. 0754 dated 28.07.2023 under Sections 120-B, 148, 149, 323, 452 and 506 of IPC and Sections 3(2)(r), 3(1)(s) and 3(2)(va) of the SC and ST Act registered at Police Station Sadar Karnal, District Karnal was ordered to be dismissed.*

*Learned counsel for the appellant submits that in the*

*present case, the occurrence had taken place on 11.30-11.45 p.m. on 26.07.2023 in the house of the complainant and was not witnessed by the general public. Thus, no offence under Sections 3(2)(r), 3(1)(s) and 3(2)(va) of the SC and ST Act was made out against the appellant. Learned counsel next contends that offences Sections 3(2)(r), 3(1)(s) and 3(2)(va) of the SC and ST Act were added added in the present case, just to make the offence non-bailable. He further submits that there is no specific attribution and the appellant has been falsely involved due to an admitted political rivalry between the complainant side and the accused. He further submits that co-accused Amit Kumar has already been granted the concession of interim anticipatory bail by this Court vide order dated 19.10.2023 passed in CRA S-2949-2023 (Annexure A-2) and the appellant is also similarly placed. ”*

2. Learned counsel for the appellant submits that the appellant was arrested in the present case on 11.08.2023 and was ordered to be released on interim bail by this Court on 20.11.2023. Thus, the appellant remained in custody more than 02 months. Even similarly placed co-accused, namely, Ashwani Kumar and Amit Kumar were granted the concession of anticipatory bail by this Court.

3. On the other hand, learned State counsel has opposed the prayer made by learned counsel for the appellant on the ground that there are serious allegations against him.

4. However, learned counsel for respondent No.2-complainant submits that the appellant had caused injuries to him i.e. Sarpanch of the Village without any reason. He further submits that the present petition was not maintainable.

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

6. Without commenting on the merits of the case, the present petition is allowed and the interim order dated 20.11.2023, passed by this Court is made absolute. It is made clear that the appellant shall continue to appear before the learned trial Court on each and every date of hearing and shall not absent before the trial Court, without prior permission of the Court.

07.12.2023  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No