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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRA-S-2322-2024

Date of decision: 15.10.2024

Dharmender Alias Dhamender Kumar

....Appellant

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**Present: Mr. Bhupinder Ghai, Advocate
for the appellant.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J (Oral):

1. Appellant-Dharmender Alias Dhamender Kumar has filed appeal against impugned order 07.06.2024 vide which his application for regular bail in FIR No.220, dated 05.03.2024, registered under Sections 323, 448, 506, 509 and 34 of Indian Penal Code 1860 and Section 3 (2) (va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (amended 2015), Police Station Palla, Faridabad (Annexure A-1) was wrongly declined.

2. As per facts of the case, complaint was filed by Sunita Kuwar alleging that she belongs to Harijan caste. She was being harassed by a lady Neeraj Rana. She along with her son threatened to kill her and used indecent caste based language. She had purchased a plot of 77 yards from Dharmendra on which she had built her house and half of the land was lying vacant. The vacant land has been forcibly taken over by Neeraj Rana, his son and Dharmendra by constructing a wall. Even, prior to this she was attacked and beaten by them. With these allegations present FIR was registered.

3. Learned counsel for the appellant argued that regular bail

application filed by the appellant was wrongly rejected. There are no specific



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allegations against the present appellant. Facts narrated in the FIR are vague. He has already join the investigation. Trial in this case may take long time. He is behind the bars since 22.05.2024. He will abide by the terms of bail order. Therefore, impugned order dated 07.06.2024 may kindly be set aside and he may be granted regular bail.

4. Appeal is opposed by learned counsel representing State. Status report filed which is taken on record. It is confirmed that after investigation, challan has been presented on 19.07.2024. Charge sheet is yet to be framed. Co-accused-Neeraj Rana was granted regular bail by Additional Sessions Judge, Faridabad vide order dated 27.09.2024. Allegations against the appellant are serious. Therefore, his regular bail application was rightly declined vide impugned order dated 07.06.2024.

5. I have considered the arguments and have gone through the record. Facts of the case indicate that the present appellant has already joined the investigation. Challan is also presented in the Court. Trial in this case is likely to take some time.

6. Considering the nature of allegations, present appellant cannot be kept behind the bars for indefinite time period. Therefore, impugned order dated 07.06.2024 rejecting the regular bail of the appellant is not on sound footing and the same is set aside by accepting the present appeal. Consequently, present appellant is granted regular bail to the satisfaction of trial Court.

7. The present criminal appeal is accordingly disposed of

(AMARJOT BHATTI)
JUDGE

15.10.2024
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