



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRA-S-2856-2024
Date of Decision:-20.12.2024

LAKHAN PAL

... Appellant

Versus

STATE OF HARYANA AND ANOTHER

... Respondents

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CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present:- Mr. Johan Kumar, Advocate
for the appellant.

Mr. Krishan K. Chahal, Addl. A.G. Haryana.

ALOK JAIN, J. (Oral)

1. The present appeal has been filed by the appellant seeking regular bail in FIR No.217 dated 25.08.2023 registered under Sections 323 IPC and Sections 3(2)(va), 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989 Act at Police Station BPTP Faridabad.
2. In compliance of order dated 29.10.2024, the learned counsel for the appellant submits that the testimony of the complainant has been duly recorded and the complainant has turned hostile.
3. Learned State counsel has filed custody certificate, according to which, the appellant is in custody for a period of 06 months & 08 days and in fact a perusal of the testimony demonstrates that the matter has been compromised between the parties and the complainant has resiled to the



statement made before the police with regard to the commission of the offence by the accused.

4. In light of the above, coupled with the fact that the appellant is in custody since 12.06.2024 and the trial is likely to take time, no useful purpose would be served by keeping the appellant in custody, hence, the appellant is entitled to the grant of concession of regular bail.

5. Without commenting upon the merits, the present appeal is allowed and the appellant is ordered to be released on bail, if not required in any other case, subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:-

- i. The appellant shall declare his ordinary place of residence and the mobile number used by him.
- ii. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- iii. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case, the appellant does not



possess a valid passport, then he shall file an undertaking to the said effect before being released.

v. The appellant shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS.

6. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

7. It is made clear that, in case, the appellant is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of the condition(s) of bail.

20.12.2024
Gaurav Sorot

(ALOK JAIN)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No