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

**CRA-S-3106-2024(O&M)**

**Date of Decision: 16.10.2024**

Mohit alias Chuara

...Appellant

VS.

State of Haryana and another

...Respondents

**Coram : Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Rajnish K. Gupta, Advocate  
for the appellant.

Ms. Sheenu Sura, DAG, Haryana.

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

1. The appellant has filed the present appeal under Section 14-A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, against the impugned order dated 28.08.2024, passed by the learned Additional Sessions Judge-cum-Special Court, Kaithal, whereby the bail application filed by the present appellant was dismissed in case FIR No. 71 dated 25.02.2024, under Sections 307, 323, 341, 506, 34, 120-B of IPC and Sections 3(1)(r), 3(1)(s), 3(2)(v) of SC/ST Act, registered at Police Station, Pundri, District Kaithal.

2. Learned counsel for the appellant contends that the appellant has been falsely involved by the complainant with some ulterior motive. As per the allegations levelled by the complainant, three persons, namely, Mohit, Sachin and one unknown person had obstructed the victim from moving and was attacked by them. Even multiple punctured wounds with an ice-pick were



inflicted on his body and caste related abuses were hurled. Learned counsel for the appellant further contends that the injured has already recovered and is hale and hearty. The appellant was arrested in the present case on 20.03.2024 and is in custody for the last more than 07 months. The final report under Section 173 Cr.P.C. has already been presented before the Court and the conclusion of the trial may take quite a long time. Learned counsel has further referred to the order dated 05.08.2024 (Annexure A-3), passed by this Court, whereby Sonu, co-accused has already been admitted to bail by this Court.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the appellant on the ground that serious allegations have been levelled against the present appellant and he does not deserve the concession of bail by this Court. She further contends that 07 more cases were ordered to be registered against the appellant.

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

5. The appellant was arrested in the present case on 20.03.2024 and is in custody for the last about 07 months. Even though, the appellant is stated to be involved in 07 more cases, but as per learned counsel for the appellant, he has been acquitted in three cases, out of those cases. Further, challan has already been presented before the Court and the trial is not likely to conclude in near future. Further, Sonu, co-accused has already been admitted to bail by this Court, vide order dated 05.08.2024 (Annexure A-3).

6. Without commenting on the merits of the case, the present appeal is allowed and the appellant is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty



Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions :-

- (i) *The appellant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*
- (ii) *The appellant shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The appellant shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The appellant shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*
- (v) *The appellant shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*
- (viii) *The appellant shall report every 1st Monday in English calander month to the concerned trial Court, till the conclusion of the trial. In case, he does not report on every 1st Monday to the concerned trial Court, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Haryana shall be at liberty to move an appropriate application in this regard.*

7. Pending application, if any, stands disposed of.

16.10.2024.  
hemlata

(N.S.SHEKHAWAT)  
JUDGE

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