



CRA-S-1517-2025(O&amp;M)

1

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

213

CRA-S-1517-2025(O&M)  
Decided on: 14.07.2025

PRINCE SINGH

... Appellant(s)

Versus

STATE OF HARYANA AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Mr. Rajesh K.Dadwal, Advocate  
for the appellant.

Mr. Anmol Malik, DAG, Haryana.

Mr. Deepak Grover, Advocate for respondent No.2.

\*\*\*\*

KIRTI SINGH, J. (Oral)

1. The present petition has been filed for seeking regular bail, by way of appeal against the impugned order dated 16.04.2025 whereby the application filed by the appellant for grant of regular bail in case FIR No.64 dated 24.02.2025, under Section 74, 75(2) and 115(2) of BNS, 2023(offence under Section 3(1)(w)(i) and 3(2)(va) SC/ST Act was added later on) registered at Police Station Narwana Sadar, District Jind, Haryana was dismissed.

2. The contents of the aforesaid FIR are reproduced herein below:-

*“To, The cwonki Incharge, Danoda, Jind. Subject:-Regarding the application of Prince son Ajaib Singh resident of village Saethli, Tehsil Narwana, District Jind for assault and attempt to make an illegal relationship. Sir, I humble is request that I, xxxx daughter of Manoj Kumar son Rajkumar caste balmiki, permanent resident of village Saethli, was going through the street today on 24.02.2025 at about 12:30 in the afternoon, when Prince son Ajaib Singh called me to his house saying that his mother Gurmeet is calling her. After this, on hearing this, I went to his house, there was no one here except Prince.*



*Here he also manhandled me and forced me to try to make an illegal relationship, but I somehow managed to escape from there. After which I came to my house and told my father that I had come to my house and had told the entire story to her father. Hence, I request you to register my complaint and take strict legal action against Prince, so that he does not dare to commit such mistake again in future. I will be highly grateful to you. Thank you.”*

3. Learned counsel for the appellant submits that the appellant, a young man aged 21 years, has been falsely implicated in the present case based on the statement of the prosecutrix, wherein it is alleged that the appellant had manhandled her and forced her into an illicit relationship. It is submitted that all the allegations levelled against the petitioner are false and baseless, and have not been corroborated by any evidence. Rather the complainant had categorically refused to undergo medical examination and gave a statement to the effect that nothing wrong had been done with her. Reliance in this regard is placed on Annexure P-2. Learned counsel further submits that no offence under the SC & ST (POA) Act has also been made out. Merely on account the fact that the prosecutrix-respondent No.2 belongs to Scheduled Caste is not enough to implicate a person under the provisions of the said Act, unless there is an intention to humiliate a person due to caste identity. To buttress this submission, learned counsel places reliance upon a judgment passed by the Hon'ble Supreme Court in Criminal Appeal No.452 of 2021 titled as ***Patan Jamal Vali Vs. State of Andhra Pradesh***. The appellant is in custody since 04.03.2025 and his custody period is 04 months and 10 days and the appellant has clean antecedents.

4. Learned counsel for the complainant has vehemently opposed the submissions advanced by learned counsel for the appellant.

5. *Per contra* learned State counsel has opposed the bail and submits that the appellant was actively involved in the commission of the alleged offence. He has filed custody certificate in Court today and the same



is taken on record. As per custody certificate, the appellant has undergone actual custody of 04 months and 10 days and there is no other case registered against him. He on instructions from investigating officer submits that challan stands presented on 08.04.2025 before learned trial Court. He, however, submits that in view of the serious allegations against the appellant, he is not entitled to the concession of regular bail.

6. Heard the rival submissions made by learned counsel for the parties.

7. From a perusal of the case in hand, it transpires that the appellant is behind the bars since 04.03.2025. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court and trial of the case has not made much progress, as challan was presented on 08.04.2025 and charges are yet to be framed. The culpability, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/appellant. Keeping the appellant in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in **“Dataram Singh vs. State of Uttar Pradesh and another”, (2018) 3 SCC 22.**

8. Accordingly, the present appeal is allowed and the appellant is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The appellant shall also abide by the following conditions:-

(I) The appellant will not tamper with the evidence during the trial.

(II) The appellant will not pressurize/intimidate the prosecution witness(s).

(III) The appellant will appear before the trial Court on the date fixed, unless personal presence is exempted.



(IV) The appellant shall not commit an offence similar to the offence of which she is accused of, or for commission of which he is suspected.

(V) 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/her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

9. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

10. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

11. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)  
JUDGE

14.07.2025

Kavita

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |