



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

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**CRA-S-2238-2025 (O&M)
Date of decision: 08.09.2025**

Sagar**...Appellant****Versus****State of Haryana and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Deepak Chauhan, Advocate
for the appellant.

Ms. Himani Arora, DAG, Haryana.

None for respondent No. 2.

MANISHA BATRA, J. (Oral)

1. The present appeal has been filed under Section 14-A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (*for short 'the SC/ST Act'*) by the appellant challenging the order dated 07.07.2025 passed by the learned Additional Sessions Judge, Jind (*hereinafter referred to as 'the trial Court'*), whereby an application filed by him under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case arising out of FIR No. 58 dated 07.04.2025, registered under Sections 118(1), 118(2), 351(2), 126(2), 115(2) and 3(5) of BNS and Section 3(2)(V) of SC/ST Act at Police Station Safidon, District Jind.

2. Brief facts relevant for the purpose of disposal of this appeal are that the aforementioned FIR was registered on the basis of the statement recorded by respondent No. 2/complainant Narendra Kumar alleging that on



the night of 06.04.2025, he was going towards his house on a scooty, when he was intercepted by the appellant and co-accused Bharat and Bittu, who after blocking his way asked him to give his scooty to them by saying that they had to go somewhere. On refusal of respondent No. 2, the appellant opened an attack upon him by striking a blow with a sword on his head. However, the blow hit his left hand and he had fallen down from the vehicle. Co-accused also opened an assault upon him and caused injuries to him. He raised clamour and then the assailants fled away while extending threats of life. He was taken to hospital and was given treatment. After registration of the FIR, investigation proceedings were initiated. Co-accused were arrested. The appellant was also arrested subsequently on 28.04.2025. Weapon of offence was recovered from him. Investigation now stands completed. The appellant and co-accused are facing trial for commission of aforementioned offences. He had moved an application seeking grant of regular bail but the same had been dismissed by the learned trial Court, vide impugned order dated 07.07.2025.

3. It is argued by learned counsel for the appellant that he has been falsely implicated in this case. The ingredients for commission of offence punishable under Section 3(2)(V) of the SC/ST Act are not at all attracted against him. He is in custody since long. Investigation has since been completed. Conclusion of trial would take considerable time. The injury attributed to him is not on vital part of the body of the victim/complainant. His further incarceration would not serve any useful purpose. While passing the impugned order, the trial Court did not take into consideration all these facts. With these broad submissions, it is argued that the present appeal deserves to be accepted and the appellant deserves to be given benefit of



regular bail.

4. There is no representation on behalf of respondent No. 2/complainant, despite service.

5. Learned State counsel has argued that there are serious allegations against the appellant. There are chances of his absconding or committing similar offences, if released on bail. He is a habitual offender. Hence, it is urged that the present appeal is liable to be dismissed.

6. I have heard learned counsel for the parties at considerable length and have also gone through the material placed on record carefully.

7. The appellant, in furtherance of common intention with co-accused, is alleged to have wrongfully restrained respondent No. 2/complainant, who belongs to SC community, criminally intimidated him and is further alleged to have voluntarily caused simple as well as grievous injuries to him. He is in custody since 28.04.2025. Trial will take time to conclude as no witness has been examined so far. Pendency of other cases against the appellant cannot be considered to be a ground for denying him the concession of bail. There is no basis for the contention that the appellant may abscond or commit similar offences, if extended benefit of bail. Keeping in view the nature of allegations as levelled against the appellant, the period of his incarceration, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the appellant deserves to be given benefit of regular bail. Accordingly, the present appeal is allowed. The impugned order is set aside. The appellant is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.



8. It is made clear that the appellant shall not influence/intimidate or try to meet the victim/complainant and shall also not try to influence or intimidate any other witness of the case during trial. In case of violation of any of these conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

9. It is made clear that the observations made hereinabove are only for the purpose of deciding the present appeal and the same shall not be construed as an expression of opinion on the merits of the case.

08.09.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>