

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

2025:PHHC:100188



315

**CRA-S-2300-2025 (O&M)
Date of Decision: 05.08.2025.**

Sukhdev Singh

...Appellant.

Versus

State of Punjab and another

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Lakshay Bector, Advocate for the appellant.

Mr. Ravneet Singh Lekhi, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Appellant has filed appeal against impugned order dated 15.07.2025 passed by learned Judge, Special Court, Ludhiana, vide which his anticipatory bail application in FIR No.66 dated 05.07.2025, under Sections 115(2), 127(2), 351 of BNS, Section 67-B of I.T. Act and Section 3 of SC/ST, Act (Section 66-A of I.T., Act was deleted), registered at Police Station Meharban, District Ludhiana, has been dismissed.

Learned counsel for the appellant has contended that no specific role has been attributed to the petitioner and he has been falsely implicated in the present case. Even the appellant himself belongs to Scheduled Caste and as such, offence under SC/ST Act is not made out against him. The trial Court had not appreciated the overall facts in the present case while dismissing the anticipatory bail application.

Learned counsel representing the State filed status report and opposed the bail application while contending that the appellant uttered derogatory words against caste of the complainant. The appellant along with other co-accused gave beatings to the complainant, pulled his hair, applied black oil and took him in the village half-naked and therefore, he does not deserve the concession of anticipatory bail.

I have considered the arguments and have gone through the record carefully.

No overt act or any specific role has been attributed to the appellant. There was delay of 5 days in registration of the FIR. As per the Scheduled Caste Certificate appended with the present appeal (Annexure A2), the appellant himself belongs to Scheduled Caste. Even in the impugned order, it has been observed by the trial Court that except Gurpreet Singh, the remaining accused, belonged to Scheduled Caste and offence under Section 3 of SC/ST Act is not made out against them. Otherwise also, no specific words uttered by the appellant against the caste of the complainant have been quoted. It is the matter of trial whether the appellant committed the other alleged offences or not. Custodial interrogation of the appellant is not required in the present case for any purpose and nothing is to be recovered from him.

Considering the aforesaid facts, the anticipatory bail application filed by the appellant was wrongly rejected by learned Additional Sessions Judge, Ludhiana by passing the impugned order dated 15.07.2025.

Accordingly, without commenting on the merits of the case, the present appeal is allowed. In the event of his arrest, the appellant is ordered

to be released on bail, on his furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/ Investigating Officer, subject to the conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the appellants to join investigation, if so required, by issuing a written notice in this regard and they shall abide by the conditions mentioned in Section 482(2) of the BNSS.

(SUKHVINDER KAUR)
JUDGE

05.08.2025.

Komal

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