



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

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**CRA-S-2338-2025 (O&M)
Date of decision: 22.09.2025**

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

Present: Mr. Vishal Yadav, Advocate
for the appellant.

Ms. Himani Arora, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The present appeal has been filed under Section 14-A 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 11.07.2025 passed by the learned Additional Sessions Judge, Rewari (*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. 354 dated 01.11.2019, registered under Sections 3(1)(r) and 3(1)(s) of the SC/ST Act at Police Station Khol, Rewari, had been dismissed.

2. Briefly stated, the appellant had been booked for commission of aforementioned offences on the allegations that the appellant along with co-accused had jumped over the wall of the house of complainant/respondent No. 2 Gayatri Devi on the intervening night of 04-05.07.2015 and had tried



to abduct her daughter to commit some wrong with her. The complainant, while moving complaint to the police, alleged that the present appellant had been harassing her family a lot, used to misbehave with them under the influence of liquor, abused them and also used to intimidate them from quite some time. She also alleged that the appellant along with co-accused Ashok Rao and two more persons had been humiliating her by hurling abuses in the name of her caste. After registration of the FIR, investigation proceedings have been initiated. The appellant was arrested on 20.01.2020 and was extended benefit of regular bail by this Court on 24.02.2020. He absented himself during trial on 30.11.2023 and was arrested on 24.06.2025. He was declared a proclaimed person on 30.04.2025. The learned trial Court dismissed the applicant for grant of regular bail filed by the petitioner by observing that there were chances of his absconding again, if released on bail.

3. It is argued by learned counsel for the appellant that he is in custody since 24.06.2025. The conclusion of trial will take time as out of total 11 prosecution witnesses, only 03 witnesses have been examined so far. His absence during trial was not intentional but was due to the reasons beyond his control. More so, there was miscommunication on the part of his counsel. He is ready to abide by the terms and conditions to be imposed upon him. He has permanent abode. With these broad submissions, it is urged that the present appeal deserves to be accepted and the appellant deserves to be given benefit of regular bail.

4. Respondent No. 2/complainant has been served but did not appear.

5. Written response has been filed by the respondent-State. It is



argued by learned State counsel that there are chances of the appellant's fleeing again, if extended benefit of bail. 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.

7. The appellant has been booked for commission of offences punishable under Sections 3(1)(r) and 3(1)(s) of the SC/ST Act carrying punishment which can be extended upto 05 years. The appellant is in custody since 24.06.2025. The conclusion of trial would obviously take some time. No useful purpose is going to be served by keeping him in custody anymore. In view of the aforesaid facts and circumstances, 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 bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and on 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 or tamper with the evidence of the case in any manner whatsoever.

(ii) he shall deposit his passport, if any, with the learned trial Court and shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) he shall appear before the learned trial Court as and when directed.

(iv) he shall provide his address where he would be



residing after release and shall not change the same without informing the concerned IO/SHO.

(v) the appellant shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switch on all times.

8. 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.

22.09.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

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