

2025:PHHC:101254



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

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CRA S-3547-2024

Date of Decision:06.08.2025

Ankit

...Appellant

Versus

The State of Haryana and another

... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sahil Nain, Advocate with
Mr. Aakash Rana, Advocate for the appellant.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

Mr. Akun Sheemar, Advocate
for the respondent No.2-complainant.

N.S.SHEKHAWAT, J.

1. The appellant has filed the present appeal under Section 14-A of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 (hereinafter to be referred as '**the SC and ST Act**') before this Court to challenge the impugned order dated 03.09.2024 passed by the Court of Additional Sessions Judge, Sonipat, whereby, the regular bail petition filed by the appellant was ordered to be dismissed in a case FIR No.382 dated 17.11.2023 under Section 346 of IPC, 1860 (Section 346 of IPC deleted and sections 120-B, 201, 302, 34, 364 of IPC, 1860 and section 3(2)(v) of SC and

ST Act were added later-on), registered at Police Station HSIIDC Barhi, District Sonipat.

2. Learned counsel for the appellant has vehemently argued that initially the FIR was registered against the unknown persons. The complainant had stated that her husband Lakhan left the home on 13.11.2023 without telling anything and he was not traceable. Consequently, the FIR was initially registered on 17.11.2023 under Section 346 of IPC. During the course of investigation, the police had arrested Deepanshu, accused in the present case. On 20.11.2023, Deepanshu suffered a disclosure statement and named Tushar, Mohit and Shubham, his co-accused in the present case. Later on, on the next day, on 21.11.2023, another disclosure statement was made by Deepanshu and he had named the appellant also as one of their accomplice. Even, it was alleged that the appellant had also caused injuries to deceased with fists and legs and he was also present at the time of commission of crime. Learned counsel submits that except the disclosure statement there was no other legally admissible evidence against him. During the course of trial, the prosecution had examined PW1 Satbir and PW2 Mukesh. Both the witnesses have been declared hostile. The appellant was arrested in the present case on 22.11.2023 and he is in custody for the last 01 year and 09 months. Moreover, the trial is at the initial stage in the present case and the conclusion of the trial may take quite a long time.

3. On the other hand, learned State counsel assisted by the learned counsel for the complainant have vehemently opposed the prayer made by the learned counsel for the appellant on the ground that there are serious allegations against the appellant and the appellant is not entitled for the concession of regular bail.

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

5. It is not in dispute that the FIR was initially registered against the unknown persons and the case is based on circumstantial evidence. The prosecution is yet to lead evidence before the trial Court to prove the involvement of the appellant in the crime. The appellant is stated to be in custody for the last about 01 year and 09 months. However, the trial is not likely to conclude in near future.

6. In view of the above, without commenting any further on the merits, the present appeal is allowed and the appellant is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

06.08.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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