



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

(216)

CRA-S-3094-2025

DATE OF DECISION: 03.12.2025

Vinay @ Vinay Kumar and another

.....Appellants

VERSUS

State of Haryana and another

.....Respondents

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Munish Behl, Advocate, for the appellants.

Mr.Aditya Pal Singla, AAG, Haryana.

SUBHAS MEHLA, J (ORAL)

1. The present appeal has been filed against the impugned order dated 19.09.2025, passed by learned Additional Sessions Judge at Faridabad, whereby, second regular bail application of the appellants in case FIR No. 264 dated 11.07.2025, under Sections 3(5), 115(2), 117(2), 126(2), 351(2) and 238 of BNS and Section 3(2)V(A)-33-89 of SC/ST, Act, registered at Police Station Sector-8, District Faridabad, was dismissed.

2. Learned counsel appearing on behalf of the appellants submitted that the offences are bailable except the offence punishable under SC/ST Act; no offence of SC/ST Act is made out from the contents of the FIR; appellants are in custody for the last more than three months and twenty days; investigation has been completed; challan stands presented; charges are yet to be framed and appellants are having clear antecedents as no other case is pending against them, and one of the appellant belongs to



the Scheduled Caste category and no offence against him is made out, prayer for grant of regular bail has been made.

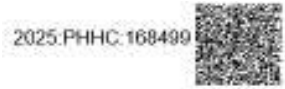
3. On the other hand, Custody Certificate on behalf of appellants filed by learned State counsel in Court today are taken on record. Learned State counsel submitted that out of three, two appellants have applied for grant of regular bail and admitted that except offences under SC/ST Act, all other offences are bailable in nature and prayed for dismissal of the appeal.

4. Heard.

5. Keeping in view the facts of the present case that appellants are in custody for the last more than three months and twenty days; investigation has already been completed; challan has been presented but charges are yet to be framed; appellants are having clean and clear antecedents as no other case is pending against them and especially when one of the appellant belongs to the Scheduled Caste category and no offence against him is made out of the SC/ST Act and all other offences are bailable, hence, Court is not inclined to confine the appellants in jail for indefinite period by not granting them concession of regular bail as they have a right of speedy trial under Article 21 of the Constitution of India. In view of the above discussion, this Court deems it a fit case to grant the concession of regular bail to the appellants.

7. Therefore, without expressing any opinion on the merits of the case, the instant appeal is allowed. The appellants are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. Nothing observed hereinabove shall be construed to be an



Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

03.12.2025
mamta

Whether speaking/reasoned
Whether reportable

(SUBHAS MEHLA)
JUDGE
Yes/No
Yes/No