



CRA-S-3424-2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRA-S-3424-2025

Decided on: 27.11.2025

Anwar

.....Appellant

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vinod Bhardwaj, Advocate
for the appellant.

Mr. Varun Gupta, DAG Haryana

SANJAY VASHISTH, J. (ORAL)

1. Appellant -Anwar aged 25 years has filed the instant appeal for setting aside order dated 31.10.2025 passed by Court of learned Additional Sessions Judge, Kaithal in case, FIR No.199 dated 18.05.2025, under sections 115(2), 126(2), 3(5), 61(2), 351(3) of BNS, 2023 and Sections 3(1)(r), 3(1)(s), 3(2)(Va) of the SC/ST Act, registered at PS Sadar, Pundri, District Kaithal.

2. Learned counsel for the appellant contends that infact the appellant is a member of general caste category and he has been implicated in a false case on account of causing injuries to injured-Dev Sagar, who is son of the complainant, belonging to a scheduled caste community. He further argues that none of the alleged injuries are found to be serious or grievous in nature, rather all the injures are of simple nature and on account of the provisions of the SC/ST Act, the appellant is lying inside the jail since 26.08.2025 i.e. for the last about 03 months.

Even nothing is to be recovered from the possession of the appellant and proving

**CRA-S-3424-2025****2**

of allegations at the instance of prosecution, which is heavily thereupon the prosecution agency is likely to take a considerable time and the appellant's incarceration inside the jail is not serving any meaningful purpose and, thus, prays for grant of regular bail.

3. On the other hand, learned State counsel submits that as per Section 15(A) of the SC/ST Act, the complainant, who is member of the scheduled caste community and the directly affected person, requires to be given an opportunity of hearing before deciding the prayer of bail, however, other factual position as asserted by learned counsel for the appellant are not disputed by learned State counsel.

4. Complainant - Gulab Singh has been impleaded as respondent No. 2 in the Memo of Parties and as per office report, notice issued to him has received back "**duly served**". However, no one has appeared to represent respondent No. 2.

5. In view of the factual position explained by counsel for the appellant and the fact that the appellant is already lying inside the jail for the last more than 03 months, without serving any meaningful purpose, this Court does not find any substantial reason to reject the contention raised by learned counsel for the appellant.

Consequently, prayer made in the present appeal is allowed. Therefore, order dated 31.10.2025 passed by Court of learned Additional Sessions Judge, Kaithal is hereby set aside and appellant is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Needless to observe that the appellant shall not extend any threat and



CRA-S-3424-2025

shall not influence any prosecution witness in any manner directly or indirectly.

7. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

8. Appeal stands disposed of.

(SANJAY VASHISTH)
JUDGE

27.11.2025
reena

Whether Speaking/Reasoned:	YES/ NO
Whether Reportable:	YES /NO