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

CRA-S-1684-2026

Lakshay

....Appellant

Versus

State of Haryana and another

....Respondents

Date of Decision: May 13, 2026**Date of Uploading: May 13, 2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:** Mr. Ajay Vijarania, Advocate for the appellant.

Ms. Mahima Yashpal Singla, Senior DAG, Haryana.

SUMEET GOEL, J. (Oral)

The present appeal has been preferred under Section 14-A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, seeking grant of anticipatory bail to the appellant in case FIR No.14 dated 05.02.2026 registered under Sections 351(2), 324(2), 191(3), 191(2) and 126 BNS and Section 3(2)(va) of the SC/ST Act, at Police Station Bond Kalan, District Charkhi Dadri.

2. The gravamen of the FIR in question reflects that the same has been registered on the basis of allegations levelled by the complainant-Vishnu, who in his complaint made to the police has alleged that that on 04.02.2026, the appellant alongwith co-accused and several other persons restrained his son and nephew near Ambedkar Chowk of the village and assaulted them. He has further alleged that the appellant used caste-specific remarks "Dxxxx Cxxxx" against the complainant party and extended threats to kill them. He has further stated that, the appellant alongwith co-accused

again reached outside their house and while raising caste-based slogans, pelted stones and threatened them with dire consequences. Upon these set of allegations, the present FIR came to be registered against accused persons.

3. Learned counsel for the petitioner has iterated that a bare perusal of the FIR itself shows that allegations leveled against the appellant are concocted, improbable and devoid of any merit. Learned counsel for the petitioner submits that the appellant has been falsely implicated into the FIR in question and that no offence under the provisions of the SC/ST Act is made out. It has further been contended that co-accused namely Nikhil and Guruvachan @ Monti have already been granted regular bail by the Court below and, therefore, the appellant is also entitled to the concession of anticipatory bail.

3.1. Learned counsel asserts that the police have not conducted a fair and impartial investigation and the inquiry conducted so far is not only incomplete, but also tainted with bias. Learned counsel has asserted that nothing is to be recovered from the appellant. Moreover, the custodial interrogation should not be used as a punitive measure and is justified only when absolutely necessary for the recovery of material evidence. Furthermore, the appellant is ready to join the investigation and, hence, no useful purpose would be served by sending him behind the bars. On the aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel has opposed the appeal in hand by arguing that the appellant is specifically named in the FIR. Learned State counsel has further submitted that there are specific allegations against the appellant regarding use of caste-based remarks and intimidation. It has further been argued that the allegations disclose commission of offences

under the SC/ST Act. On these submissions, dismissal of the present petition is entreated for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, grave and serious allegations have been levelled against the appellant. regarding use of caste-specific remarks and intimidation of the complainant party. The allegations are not simple in nature. The appellant has been specifically named in the occurrence and attributed an active role in alleged offence. The contention raised on behalf of the appellant that the co-accused have been granted regular bail cannot be accepted, at this stage, as the said accused have been released on regular bail and the appellant (herein) is seeking grant of anticipatory bail.

No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the appellant has been falsely implicated into the present FIR.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that *prima facie* case is not made out against the appellant. The material which has come on record and preliminary investigation, appear to establish a reasonable basis for the accusations. Thus, it is not appropriate to grant

anticipatory bail to the appellant, as it would necessarily cause impediment in effective investigation. In *State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039*], the Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

8. In view of the seriousness of the allegations, this Court finds no compelling ground to extend the benefit of discretionary relief to the appellant. Moreover, custodial interrogation of the appellant is necessary for an effective investigation & to unravel the truth. The appeal is, thus, devoid of merits and is hereby **dismissed**.

9. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

May 13, 2026
Naveen

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No