

(2021) 06 RAJ CK 0005
In the Rajasthan High Court
Case No : Criminal Appeal No. 917 Of 2021

Brijraj Suman Alias Vimal

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 10-06-2021

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(2)(v), 3(2)(va), 3(1)(w)(ii), 14 (A)(2) Indian Penal Code, 1860 — Section 376(2)(n)

Citation : (2021) 06 RAJ CK 0005

Hon'ble Judges : Inderjeet Singh, J

Bench : Single Bench

Advocate : Govind Lal Choudhary, S.S. Ola, Kumud Singh

Final Decision : Allowed

Judgement

Inderjeet Singh, J

1. Defect(s) pointed out by the registry are waived.

2. The present criminal appeal under Section 14 (A) (2) of the SC/ST (Prevention of Atrocities) Act has been filed in connection with FIR

No.209/2021 registered at Police Station Kunhadi, District Kota for the offence under Sections 376(2)(n) of I.P.C. and Sections 3(2)(v), 3(2)(va) and

Section 3(1)(w)(ii) of SC/ST (POA) Act.

2. Counsel for the appellant submits that the appellant has been falsely implicated in this matter. Counsel further submits that the appellant was

residing in the house of the prosecutrix alongwith his wife and family as tenant and the prosecutrix is a married lady aged about 42 years and the

appellant is behind the bars since 18.05.2021. Counsel further submits that the appellant has vacated the house of the prosecutrix.

3. Learned Public Prosecutor assisted by counsel for the complainant has opposed the appeal.

4. Considering the material on record and taking into account the facts and circumstances of the present case and without expressing any opinion on

the merits of the case, it would be just and expedient to order the release of the appellant on bail.

5. The order dated 02.06.2021 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Kota is quashed and set-aside and this

appeal is accordingly allowed. Appellant be admitted to regular bail subject to satisfaction of the trial Court. Office is directed to send a copy of this

order to the concerned trial Court through e-mail/fax, for necessary compliance.