
(2021) 06 RAJ CK 0011
In the Rajasthan High Court
Case No : Criminal Appeal No. 916 Of 2021

Mahaveer S/O Chotulal

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 11-06-2021

Acts Referred:

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

Citation : (2021) 06 RAJ CK 0011

Hon'ble Judges : Inderjeet Singh, J

Bench : Single Bench

Advocate : Govind Lal Choudhary, S.S. Ola

Final Decision : Allowed

Judgement

Inderjeet Singh, J

1. Defect(s) pointed out by the Office is 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.07/2021 registered at Police Station Hindoli, District Bundi for the offences under Section 376(2)(n) of IPC & 3(2)(v) of the SC/ST (POA) Act.
3. Counsel for the appellant submits that the appellant has been falsely implicated in this matter and the prosecutrix is about 35 years old married lady, having children. Counsel further submits that it is a case of consensual sex and the challan has already been presented in the Court and due to COVID-19 problem, the trial is not proceeding.
4. Learned Public Prosecutor has opposed the appeal and submitted that the complainant has duly been informed, however, none appeared on behalf

of the complainant.

5. Keeping in view the facts and circumstances of the case, it would be just and expedient to order the release of the appellant on bail.

6. The order dated 27.05.2021 passed by the learned Special Judge, SC/ST (Prevention of Atrocity), Cases, Bundi, is quashed and set-aside and this

appeal is accordingly allowed. Appellant be admitted to 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.