

(2021) 01 RAJ CK 0208
In the Rajasthan High Court
Case No : Criminal Appeal No. 14 Of 2021

Rajveer Singh

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 20-01-2021

Acts Referred:

Scheduled Caste and Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(1)(r), 3(1)(s), 3(2)(v), 14(A)(2)
Indian Penal Code, 1860 — Section 323, 341, 376, 376(2)(n), 377, 494, 509
Protection Of Children from Sexual Offences Act, 2012 — Section 5, 6

Citation : (2021) 01 RAJ CK 0208

Hon'ble Judges : Inderjeet Singh, J

Bench : Single Bench

Advocate : Jaideep Singh, Riyasat Ali, T.C. Swami

Final Decision : Allowed

Judgement

1. 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.182/2020 registered at Police Station Pratapgarh District Alwar for the offences under Sections 376, 376(2)(n), 377, 323, 494 of IPC and Section 5

& 6 of the POCSO Act Section 3(1)(r), 3(1)(s) & 3(2)(v) of SC/ST Act (In FIR) and Section 341, 323, 509, 376 of IPC and Section 3(2)(v) of SC/ST

Act (In Order).

2. Counsel for the appellant submits that the appellant has been falsely implicated in this matter and the prosecutrix travelled with the appellant to so many places at her own free will. Counsel further submits that the FIR has been lodged after a delay of five years and the appellant is in custody for last about two months.

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

4. Considering the material on record and also considering the period of custody 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 26.11.2020 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Alwar 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.