
(2019) 09 RAJ CK 0016
In the Rajasthan High Court
Case No : Criminal Appeal No. 939 Of 2019

Sukhjeet Singh @ Babbu And Ors

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 03-09-2019

Acts Referred:

Scheduled Castes And Scheduled Tribes (Prevention Of Atrocities) Act, 1989 — Section 3(2)(V), 14A(2)
Indian Penal Code, 1860 — Section 363, 366-A, 376D, 376(2)(N)

Citation : (2019) 09 RAJ CK 0016

Hon'ble Judges : Vijay Bishnoi, J

Bench : Single Bench

Advocate : N.K. Sharma, Laxman Solanki

Final Decision : Allowed

Judgement

This criminal appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter to be referred as 'the SC/ST Act') has been filed on behalf of the appellants being aggrieved with the order dated 06.07.2019 passed by the Special Judge, SC/ST (Prevention of Atrocities) Cases, Sriganganagar (hereinafter to be referred as 'trial court') in Criminal Misc. (Bail) Case No.-178/2019 whereby, the trial court has dismissed the bail application filed on behalf of the appellants.

The appellants have been arrested in FIR No.197/2019 of Police Station Nai Mandi, Gharsana, District Sriganganagar for the offences punishable under Sections 363, 366-A, 376/D, 376(2)(N) of IPC and under Section 3(2)(V) of SC/ST Act.

At the outset, learned counsel for the appellants submits that he does not want to press the criminal appeal preferred on behalf of appellant No.1-Sukhjeet Singh @ Babbu @ Sonu.

Hence, the criminal appeal preferred on behalf of appellant No.1 is dismissed as

not pressed at this stage.

So far as appellant No.2 is concerned, learned counsel for the appellant has submitted that there is no allegation against the appellant No.2 except that when co-accused Sukhjeet Singh abducted the prosecutrix, he accompanied him. It is further submitted that appellant is in judicial custody and trial of the case will take time.

Learned Public Prosecutor has opposed the prayer made on behalf of the appellants in this criminal appeal.

Heard learned counsel for the appellants as well as learned Public Prosecutor and also perused the material on record.

Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and proper to allow the appeal filed by the appellant No.2 under Section 14-A(2) of SC/ST Act.

Accordingly, this criminal appeal filed under Section 14-A(2) of SC/ST Act is allowed and the order dated 06.07.2019 passed by the Special Judge, SC/ST (Prevention of Atrocities) Cases, Sriganagar in Criminal Misc. (Bail) Case No.-178/2019 is set aside. It is directed that appellant No.2 - Ravi Singh @ Ravi S/o Balvindra Singh shall be released on bail in connection with FIR No.197/2019 of Police Station Nai Mandi, Gharsana, District Sriganagar provided he executes a personal bond in the sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.