
(2022) 05 RAJ CK 0066

In the Rajasthan High Court

Case No : S.B. Criminal Appeal No. 637, 6378 Of 2022

Yuvraj Singh And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 16-05-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(1)(R)(S), 3(2)(Va), 14A(2)
Indian Penal Code, 1860 — Section 143, 323, 336

Citation : (2022) 05 RAJ CK 0066

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Tanwar Singh Rathore, Narendra Singh Chandawat, Mohd. Javed Gauri, Karan Singh Chouhan

Final Decision : Allowed

Judgement

Manoj Kumar Garg, J

Heard learned counsel for the appellants as well as learned learned public prosecutor and learned counsel for the complainant. Perused the material available on record.

The instant appeals have been filed under Section 14A (2) Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act on behalf of the appellants, who are in custody in connection with FIR No.121/2022, Police Station Gotan, Distt. Nagaur for the offences under Sections 143, 323, 336 of IPC and Section 3(1)(R)(S), 3(2)(Va) of SC/ST Act, against the order dated 06.05.2022 passed by the learned Special Judge SC/ST (Prevention of Atrocities) Cases, Merta in Criminal Misc. (Bail) Application Nos.97/2022 and 96/2022 whereby, the bail application preferred on behalf of the appellants under Section 439 Cr.P.C. was rejected.

Learned counsel for the appellant submits that the appellants have not committed the offences as alleged against them and they are innocent. It is further submitted that now, a compromise has been arrived in between the parties. In these circumstances, the appellants may be released on bail.

Learned Public Prosecutor has opposed the prayer for bail. Learned counsel for the complainant concurs the fact of compromise.

Having regard to the entirety of facts and circumstances of the case and upon a consideration of the arguments advanced at the bar, this Court is of the opinion that the order rejecting the application for bail filed on behalf of the appellant, cannot be sustained and deserves to be set aside.

Consequently, the instant appeals are allowed. The impugned order dated 06.05.2022 passed by the learned Special Judge SC/ST (Prevention of Atrocities) Cases, Merta is set aside. It is ordered that the accused appellants (1) Yuvraj Singh S/o Umaid Singh, (2) Gopal Singh @ Happy Singh S/o Rughnath Singh, (3) Jitu Singh S/o Swai Singh, (4) Ramveer Singh S/o Nensingh, (5) Ramswraoop S/o Mangidas, (6) Govind Das S/o Mangi Das, (7) Govind Ram S/o Mohan Ram and (8) Arjun Singh S/o Pappu Singh shall be released on bail in FIR No.121/2022, Police Station Gotan, Distt. Nagaur provided each of them furnishes a personal bond of Rs.1,00,000/- and two surety bonds of Rs.50,000/- each to the satisfaction of the learned trial Court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.