

RAJASTHAN HIGH COURT

  
सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR

S.B. Criminal Appeal (Sb) No. 852/2026  
CNR: RJHC020362252026 | URN: CRLAS / 1597U / 2026

Harkesh Son of Hukum Singh, Resident of Ibrahimpur Kaimari,  
Police Station Nadoti District Karauli, Raj. (At Present Confined in  
Sub Jail, Hindaun City, District Karauli.)

----Appellant

Versus

1. The State of Rajasthan, Through P.P.
2. Kalyan Singh Son of Rampal, Resident of Rajwas Shers-  
ingh, Police Station Lawan, District Dausa, Rajasthan

----Respondents

|                    |   |                                                       |
|--------------------|---|-------------------------------------------------------|
| For Appellant(s)   | : | Mr. Rajeev Kumar Sogarwal with<br>Mr. Shribhan Gurjar |
| For Respondent(s)  | : | Ms. Arti Sharma, PP                                   |
| For Complainant(s) | : | Mr. Dinesh Kumar Garg                                 |

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

**03/08/2026**

1. The instant appeal has been filed under Section 14A(2) SC/ST (Prevention of Atrocities) Act by the appellant being aggrieved of the order dated 25.03.2026 passed by learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Karauli (Raj) in Criminal Misc. Case No.(CIS No.) 40/2026 rejecting the bail application preferred on behalf of the appellant, who is in custody in connection with FIR No.384/2023 registered at Police Station 147, 149, 342, 382, 386, 504, 506, 302 & 120B of IPC and Section 3(2)(v) of SC/ST (Prevention of Atrocities) Act, 1989 (Amendment 2015). After completion of investigation, police filed charge-sheet in this matter for offences punishable under Sections

147, 149, 342, 386, 504, 506, 302 & 120B of IPC and Section 3(2)(v) of SC/ST (Prevention of Atrocities) Act, 1989 (Amendment 2015).

2. Previous criminal appeals filed on behalf of appellant for grant of bail were dismissed on merits vide orders dated 14.03.2024, 14.11.2024 & 03.09.2025. Now, this criminal appeal has been filed on behalf of appellant for grant of bail.

3. It is contended by learned counsel for the appellant that appellant has falsely been implicated in this case. Counsel submits that there is no evidence available on record against the appellant to connect him with the alleged crime. Counsel submits that till date, only twelve witnesses have been examined during the course of trial, out of thirty-two prosecution witnesses. It is submitted that trial will take considerable time in its conclusion. Counsel contends that appellant is in custody since 15.09.2023 and as such, he has suffered incarceration of more than two years and ten months. Further custody of the appellant would not serve any fruitful purpose.

4. Per contra, learned Public Prosecutor assisted by learned counsel for the complainant vehemently opposes the submissions advanced on behalf of appellant.

5. Heard learned counsel for the appellant, learned Public Prosecutor as well as counsel for the complainant. Perused the material available on record.

6. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned counsel for the parties, especially the fact that previous criminal

appeals (bail) filed on behalf of appellant were dismissed on merits by detailed orders and there is no substantial change in the circumstances and further looking to the nature and gravity of offences, I do not find it a fit case to change my earlier view.

7. Accordingly, this criminal appeal filed on behalf of appellant for grant of bail stands dismissed.

8. The observations made hereinabove are only for decision of this appeal (bail) and would not have any impact on the trial of the case in any manner.

(ANIL KUMAR UPMAN),J

5/LALIT MOHAN