

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Appeal (Sb) No. 3304/2025

Saddik Hussain Urf Sahil S/o Rahuldeen, Aged 19 Years, R/o Jajor Police Station Sadar, Alwar Presently Residing At Bakhtal Ki Chauki, Police Station Udhog Nagar, Alwar (Raj.)
(At Present The Accused Petitioner Is In Judicial Custody Central Jail Alwar)

----Appellant

Versus

1.

State Of Rajasthan, Through Public Prosecutor.
2.

Chintu Malhotra S/o Baldev Krishan Malhotra, R/o Desula Udyog Nagar (Mia), Alwar (Raj.)

----Respondents

Connected With

S.B. Criminal Appeal (Sb) No. 661/2026

Ikbal Son Of Karim Khan, Aged About 37 Years, Resident Of Bakhtal Ki Chauki, Police Station Udhog Nagar Alwar, District Alwar, (Raj.) (At Present Confined In Central Jail, Alwar)

----Appellant

Versus

1.

State Of Rajasthan, Through Pp
2.

Chintu Malhotra Son Of Baldev Krishan Malhotra, Aged About 33 Years, Resident Of Desula, Police Station Udhog Nagar Alwar, District Alwar, (Raj.)

----Respondents

For Appellant(s)	:	Mr. Manish Gupta Mr. Aslam S. Khan
For Respondent(s)	:	Mr. Amit Kumar Gupta Mr. Gurvindra Singh

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR
Order

30/04/2026

1.

The instant appeals have been filed under Section 14A(2) SC/ST (Prevention of Atrocities) Act, 1989 on behalf of the

appellants, who are in custody in connection with F.I.R. No.373/2025 dated 10.10.2025, registered at Police Station Udhog Nagar, MIA, District Alwar for the offences under Sections 115(2), 126(2), 189(2), 19(1), 324(4) and 324(5) of BNS and Sections 3(1)(r), 3(1)(s) and 3(2)(v) of SC/ST (Prevention of Atrocities) Act against the order dated 10.12.2025 and 27.01.2026 passed by the learned Special Judge, SC/ST (Prevention of Atrocity) Cases, Alwar whereby, the bail application preferred under Section 483 BNSS on behalf of the appellants were rejected.

2. Learned counsel for the appellants submits that the appellants have falsely been implicated in the case. Learned counsel for the accused-appellants further submits that the specific allegation of causing death of the deceased by using rod and sticks are attributed against other co-accused namely Munfed, Azruddin and Shahid @ Sanda. It is further argued that injured Chintu Malhotra in his statement rendered under Section 180 of the BNSS has clearly stated that deceased Karan was beaten by other co-accused Munfed, Azruddin and Shahid with the aid of rod and sticks similarly the other eye witness Vikram has also attributed injury to deceased Karan to Munfed, the other eye-witnesses Amit Malhotra, Naresh Bajaj, Prem Singh, Sahil Kapoor, Angad Malhotra and Munshiram in their statements rendered under Section 180 of the BNSS have also stated that Munfed Ali and Shahid @ Sanda caused injuries with the aid of rod and stick to the deceased, thus there is no specific attribution against the present appellants that they caused fatal injuries to the deceased

Karan. It is also contended that in the video captured by the police during investigation, clearly shows petitioners presence at the place of occurrence, however they did not cause any injury to deceased. It is further submitted that accused-appellants are in custody since long and trial of the case may take considerable time, therefore, the appeal of accused-appellants may be allowed.

3. Per contra, learned Public Prosecutor and learned counsel for the complainant have vehemently opposes the appeal and contended that apart from the witnesses examined by the police, the video footage captured from the place of occurrence clearly shows the presence of the appellants at the place of occurrence and in the video they have been shown beating other injured Chintu who also received three injuries, therefore the presence of the appellants at the place of occurrence is apparent. The deceased died due to assault by the other co-accused and appellants. The deceased received eight injuries and the statement of eye-witnesses are yet to be examined, therefore considering the aforesaid facts, the instant appeals deserves to be dismissed.

4. Heard and perused the material available on the record.

5. It is not desirable for the court to express anything on the merits of the case, considering the video footage of the place of occurrence and that the presence of the appellant have been shown in the video beating the other injured Chintu and material eye witnesses are yet to be examined, this court is not inclined to accept the appeals of the appellants.

6. Accordingly, the instant appeals are hereby dismissed.

(PRAVEER BHATNAGAR),J