



**207 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

**CRA-S-2034-2026 (O&M)
Date of Decision: 06.07.2026**

JITENDRA KUMAR

...Appellant

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Gaurav Singla, Advocate
for the appellant.

Mr. Kshitij Bharti, Assistant Advocate General, Haryana.

Mr. Sandeep Kumar, Advocate
for respondent No. 2.

SHALINI SINGH NAGPAL J. (Oral)

1. Appellant challenges order dated 29.05.2026 of learned Additional Sessions Judge, Faridabad vide which his application for anticipatory bail in FIR No.127 dated 27.03.2026 under Section 115(2), 126(2), 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 3(1)(s), 3(2)(va) of SC/ST Act, Police Station, Mujessar, District Faridabad, was dismissed.

2. On 15.06.2026, following order was passed:

"1. The appellant through instant appeal under Section 14 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short 'SC/ST Act') is seeking setting aside of impugned order dated 29.05.2026 whereby learned Additional Sessions Judge, Faridabad has dismissed his anticipatory bail in FIR No.127 dated 27.03.2026 under Section 115(2), 126(2), 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023 (for short 'BNS') and

Sections 3(1)(s), 3(2)(va) of SC/ST Act registered at Police Station, Mujessar, District Faridabad.

2. *As per FIR, case of the prosecution is that complainant-Om Prakash in his complaint averred that he belongs to Scheduled Caste Category and on 25.03.2026 while he was coming back to his home after work, Raj Kumar stopped him and started beating him. He used caste-based language and demanded ₹9,000/-. The complainant refused to pay. Raj Kumar called his son Kaniya and his other companion. They forcibly took him away to their office and used caste-based language.*

3. *The appellant preferred an application before Session Court, Faridabad seeking anticipatory bail. Learned Additional Sessions Judge, Faridabad vide order dated 29.05.2026 dismissed the same.*

4. *Learned counsel for the appellant submits that there is dispute of ₹9,000/- between complainant and appellant's father. He has been wrongly implicated in the alleged offence. There was delay of two days in lodging FIR.*

5. *Notice of motion returnable for 06.07.2026.*

6. *Mr. Deepak Vashishth, Deputy Advocate General, Haryana, who on advance notice is present in Court accepts notice on behalf of respondent-State.*

7. *Having considered the contents of the FIR, role attributed to the appellant, gravity of offence, sentence prescribed for commission of alleged offence, arguments put forth by the appellant and law enunciated by Hon'ble*

Supreme Court in Thana Singh v. Central Bureau of Narcotics, (2013) 2 SCC 590; Arnab Manoranjan Goswami v. State of Maharashtra, (2021) 2 SCC 427; Satender Kumar Antil v. CBI, (2022), 10 SCC 51; Siddharam Satlingappa Mhetre v. State of Maharashtra and others, 2010 SCC OnLine SC 1375; Shri Gurbaksh Singh Sibbia v. State of Punjab, (1980) 2 Supreme Court Cases 565 and Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273, this Court is of the prima facie opinion that appellant deserves protection from arrest.

8. *Accordingly, it is hereby directed that in the event of arrest, the appellant shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of Investigating/Arresting Officer subject to the conditions provided under Section 482(2) of BNSS. He shall appear before Investigating Officer on 22.06.2026 and thereafter as directed by Investigating Officer. He shall co-operate with the Investigating Officer. He shall not influence the witnesses, destroy, interpolate or manipulate evidence and leave country without prior approval of the Trial Court. If the Arresting Officer does not permit the appellant to join the investigation, he would appear before the learned Illaqa Magistrate who would then summon the Arresting Officer and direct him to join the appellant in investigation, in terms of the order of this Court.*

9. *If the appellant or his family members/associates make any attempt to threat/intimidate*

the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

10. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial court shall proceed without being prejudiced by observations of this Court.”

3. Learned State counsel has filed status report and on instructions from ASI Sunil Kumar submits that appellant has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for respondent No. 2 has opposed the prayer for anticipatory bail.

5. Appellant has joined investigation pursuant to order of this Court dated 15.06.2026 and his further custodial interrogation is not required. Whether or not alleged offences were indeed committed by him, would be a matter of trial. In the circumstances of the case but without commenting on merits, the appeal is allowed. Order dated 29.05.2026 of learned Additional Sessions Judge, Faridabad is set aside and order dated dated 15.06.2026, granting interim bail to the appellant, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023.

6. Pending CRM(s), if any, are also disposed of accordingly.

(SHALINI SINGH NAGPAL)
JUDGE

06.07.2026
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No