



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

234

CRA-S-2848-2024

Date of decision: 25.09.2024

VIKAS YADAV

....APPLICANT/APPELLANT
V/s

STATE OF HARYANA AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ajay Kadyan, Advocate
for the applicant-appellant.

Ms. Priyanka Sadar, AAG, Haryana.

Mr. Vikas Mehra, Advocate
for respondent No.2.

SUMEET GOEL, J.

1. The present appeal has been preferred under Section 14-A of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the order dated 16.08.2024 passed by learned Additional Sessions Judge, Jind, in case bearing FIR No 116 dated 10.07.2024, registered for the offences punishable under Sections 313 & 498-A of IPC and Section 3(2) (v) of SC & ST Act, 1989, at Police Station Women, Jind.

2. On 28.08.2024, the following order was passed:-

“The present appeal has been preferred under Section 14-A of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the order dated 16.08.2024 passed by learned Additional Sessions Judge, Jind.

Inter alia contends that the genesis of the FIR in question is a matrimonial discord between the appellant and respondent No. 2; no offence under Section 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against the appellant from the facts and circumstances of the case; the complainant had earlier got one FIR No. 154 dated 06.06.2019 registered at Police Station Urban Estate, Hisar under Sections 376,420 IPC and Section



3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act which was found to be false and thereafter a cancellation report was submitted by the police; the applicant-appellant has now found that complainant was already married with one Sajjan Singh son of Jai Lal, resident of District Bhiwani & the appellant is willing to join investigation and cooperate therein. Notice of motion.

On asking of the Court, Ms. Priyanka Sadar, AAG, Haryana appears and accepts notice on behalf of the respondent-State.

Mr. Vishwajeet, Advocate has filed memo of appearance for respondent No. 2. He seeks and is permitted time to file requisite vakalatnama.

Adjourned to 25.09.2024.

The appellant is directed to appear before the Investigating Officer on 02.09.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the appellant shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the appellant shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.

Learned State counsel is directed to furnish a response to the instant appeal especially averments contained in para Nos. 5 and 6 thereof.”

3. Learned State counsel, on instructions from ASI Suman, has stated that pursuant to the order dated 28.08.2024, the applicant-appellant has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the present appeal is allowed and interim order dated 28.08.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

5. This order should not be treated as “blanket” order. It will not be read granting applicant-appellant indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the applicant-appellant violates any



condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

- 7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
- 8. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

September 25, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No