



CRA-S-3099-2024 (O&M)

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

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CRA-S-3099-2024 (O&M)

Date of Decision : December 03, 2024

HONEY SHARMA**-APPELLANT****V/S****STATE OF PUNJAB AND ANOTHER****-RESPONDENTS****CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. A.P.S. Rehan, Advocate
for the appellant.

Mr. Pardeep Bajaj, D.A.G., Punjab.

Mr. Akash Lather, Advocate
for the respondent No.2.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant appeal, the appellant assails the order dated 30.08.2024, whereby, the learned Additional Sessions Judge, Mansa, has declined to grant him anticipatory bail, in case FIR No.143 dated 03.08.2024, under Sections 294/506 of the IPC, Section 67(A) of the Information Technology Act, 2000, and, Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at P.S. City-2 Mansa, District Mansa.

2. On 03.10.2024, this Court had passed the hereinafter extracted order, upon the instant appeal:-

“Through the instant appeal, challenge is thrown to the order dated 30.8.2024, whereby, the application preferred by the appellant under Section 438 Cr.P.C. has been dismissed by the learned Additional Sessions Judge, Mansa.



The allegations in the instant case against the present appellant are that he gave threats, intimidation and also cause financial loss and uttering caste related words.

Learned counsel for the appellant inter-alia submits that there is a business dispute amongst the present appellant and the complainant. He further submits that the complainant is also facing two FIRs, of cheating filed by other persons. He also submits that from the perusal of the FIR, no offence whatsoever, under Section 3 the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989, is made out.

Be that as it may, considering the role of the present appellant, this Court deems it appropriate to direct the appellant to join the investigation and in the event of arrest, the appellant shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The appellant shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 482(2) of the BNSS, 2023.

Adjourned to 3.12.2024.”

2. Today, the learned State counsel has, on instructions imparted to him by H.C. Jasvir Singh, stated that pursuant to the making of the hereinabove reproduced order, the appellant had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the impugned order dated 30.08.2024 is set aside and the hereinabove reproduced interim order dated 03.10.2024, as made by this Court, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the appellant shall not commit an offence similar to the present offence;

(ii) the appellant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the appellant shall make himself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting 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.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

December 03, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No