



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRA-S-3232-2024
Date of decision: 04.12.2024

LOKESH SINGHAPPELLANT

VERSUS

STATE OF HARYANA AND ANOTHERRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. D.S. Virk, Advocate for the appellant.

Ms. Gaganpreet Kaur, DAG, Haryana.

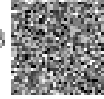
SANJIV BERRY, J.(ORAL)

1. Instant appeal has been preferred against the order dated 19.09.2024 vide which the anticipatory bail of the appellant, filed under Section 438 Cr.P.C., in case FIR (Annexure A-1), had been declined by the learned Additional Sessions Judge, Special Court, Kaithal. Details of the FIR are as under:

FIR No.	Dated	Sections	Police Station
277	04.09.2023	148, 149, 323, 427, 447,506, 201 of IPC and Sections 3 (1) (r), 3(1) (s), 3 (1) (f), 3 (2) (va), 3 (IV) of The Scheduled Castes and The Schedules Tribes (Prevention of Atrocities) Act, 1989.	Kalayath, District Kaithal.

2. As per office report, notice to respondent No.2 duly served but none has put in appearance on his behalf.

3. Learned counsel for the appellant submits that in compliance to the order dated 25.09.2024 passed by this Court, the appellant has already joined the investigation.



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4. Learned State counsel, on the basis of *pairvi* report and on instructions received from DSP Lalit Kumar, submits that the appellant has joined the investigation and is no more required for custodial interrogation.

5. During the course of hearing on 25.09.2024, following order was passed:

“2. Learned counsel for the appellant, inter alia, contends that on account of property dispute inter se parties, false case has been registered by the complainant against the appellant and other persons. He further contends that the appellant is not having any other criminal antecedents and even in the instant FIR, no specific overt act is attributed to the appellant. He contends that the co-accused have already been granted concession of anticipatory bail in CRA-S-2905-2023 vide order dated 30.01.2024 and the appellant is ready to join the investigation.

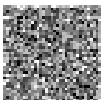
3. Notice of motion.

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter. She has also not disputed the fact that the case of the appellant on being parity with co-accused in CRA-S-2905-2023.

5. Adjourned to 25.10.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the appellant is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide



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by conditions as envisaged under Section 482 (2) of BNSS, 2023.”

6. After hearing the respective submissions and perusing the record, it transpires that in compliance to the order dated 25.09.2024 passed by this Court, the appellant has already joined investigation and is no more required for further investigation at this stage nor he is required for any custodial interrogation. Without commenting on the merits of the case, present appeal is hereby allowed and interim bail granted vide order dated 25.09.2024 is hereby confirmed subject to compliance of conditions as specified under Section 482 (2) of BNSS, 2023. Further, the appellant is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The appeal stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

04.12.2024

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |