

**CRA-S-3515 of 2024 (O&M)****2**

between the appellant and the victim; the offence under the prevention of Scheduled Castes and Scheduled Tribes Act is not made out from the factual matrix of the case; the allegations of money being taken by the appellant has been made to lend severity to the FIR in question & the appellant is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana appears and accepts notice on behalf of the respondent-State.

Adjourned to 27.11.2024.

The appellant is directed to appear before the Investigating Officer on 07.11.2024 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.

The concerned SHO, through learned State counsel, is directed to inform respondent No. 2 about the next date of hearing fixed in the present case. The concerned SHO shall also file compliance report in this regard.”

3. Learned State counsel, on instructions from ASI Pardeep, has stated that pursuant to the order dated 28.10.2024, the appellant has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the complainant have vehemently opposed the grant of anticipatory bail to the appellant by arguing that the allegations made against the appellant are serious in nature and hence anticipatory bail ought not to be granted to the appellant. Learned counsel for the complainant has further iterated that appellant is uploading her photographs on the Facebook and is even trying to approach the husband/family of the complainant for an amicable settlement.



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5. Learned counsel for the appellant has submitted that the appellant was had not uploaded any photographs of complainant on Face-book and shall also refrain from contacting her in any manner whatsoever, including on social media.
6. Having heard learned counsel for the parties especially the appellant having joined the investigation, the present appeal stands allowed and the interim order dated 28.10.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.
7. 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.
8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the appellant violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.
9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

18.12.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No