



CRA-S-3880-2024

Apprehending his arrest in FIR No. 159 dated 20.07.2024 registered for offences punishable under Section 70(1) of BNS and Section 3(1) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Section 10 of POCSO Act at Police Station City, Budhlada; the appellant has preferred this appeal under Section 14-A of the SC/ST Act seeking pre-arrest bail. Inter alia contends that the appellant has been falsely implicated into the FIR in question; respondent No.2/complainant has not made any inculpatory statement against the appellant while making statement under Section 183 of BNS (earlier Section 164 of Cr.P.C.) & appellant is willing to join investigation and cooperate therein. Notice of motion. On asking of the Court, Mr. Adhiraj Singh Thind, AAG, Punjab, appears and accepts notice on behalf of respondent No.1-State. Adjourned to 18.12.2024. The appellant is directed to appear before the Investigating Officer on 04.12.2024 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 Bharatiya Nagarik Suraksha Sanhita, 2023. “

3. Learned State counsel, on instructions from SI Sukhjot Singh, has stated that pursuant to the order dated 29.11.2024, the appellant has joined investigation and is no longer required for custodial interrogation.

4. Mr. Ajeet Pal Singh Pakka, Advocate has appeared for respondent No. 2.

5. In view of above, the present appeal stands allowed and the interim order dated 29.11.2024 passed by this Court is made absolute,



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subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

6. 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.
7. 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.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
9. 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