

2025:PHHC:047508



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

Sr. No.211**CRA-S-555-2025 (O&M)****Date of decision : 07.04.2025**

Vipin Solanki

..... Appellant

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Kunal Dawar, Advocate, for the appellant.

Mr. Anmol Malik, DAG, Haryana.

Mr. Vipul Sharma, Advocate, for respondent No.2.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest, the appellant has filed this appeal for grant of anticipatory bail in case bearing FIR No.43 dated 26.01.2025 under Section(s) 69 BNS (Section 3 of SC/ST Act, 1989 added later on), registered at Police Station City Ballabgarh, District Faridabad.

2. Vide order dated 21.02.2025, the arrest of appellant was stayed and the same is reproduced below:-

'Learned counsel for the appellant as well as counsel for respondent No.2 submits that the matter has been compromised between both the parties.

Respondent No.2 is present in person in Court today and has also verified the factum of compromise.

Meanwhile, the arrest of the appellant shall remain stayed till the next date of hearing.

2025:PHHC:047508



Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner.

Adjourned to 20.03.2025.

3. Thereafter, vide order dated 20.03.2025, the appellant was directed to join investigation, which reads as under:-

*'Learned counsel for the appellant submits that appellant has been falsely implicated in the present case. The FIR has been registered after a delay of one month from the incident. He submits that the prosecutrix, a major aged about 19 years, was in a consensual relation with the appellant and when the things did not work out between them, she registered the FIR in question. To buttress his submissions, learned counsel places reliance on the decision passed by Hon'ble Supreme Court in Dr. **Dhruvaram Mulidhar Sonar vs. State of Maharashtra and Ors.,: 2019(1) RCR (Criminal 674, Shambu Kharwar vs. State of Uttar Pradesh and another 2022(4) RCR Cri 493 and Deepak Kuma vs. State of Haryana and another, 2024(2) RCR Criminal 1.** He further submits that petitioner is ready to join investigation and co-operate.*

Adjourned to 07.04.2025.

In the meantime, appellant shall join investigation before the Investigating Agency/Officer and shall also abide by the following conditions as envisaged under Section 482(2) BNSS:-

- 1) That the appellant shall make himself available for interrogation by a police officer as and when required to do so.*
- 2) That the appellant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.*
- 3) That the appellant shall not leave India without prior permission of the Court.*

Interim order to continue till the next date of hearing.'

2025:PHHC:047508



4. It is settled law that anticipatory bail to a person accused an offence under SC/ST Act can be granted, if the Court is satisfied that the allegations leveled do not *prima facie* make out case under the Act, which is the case in the present petition. Further, the matter now stands compromised between the parties.

5. Learned State counsel on instructions from SHO-Shamsher Singh submits that in compliance of order dated 20.03.2025, the appellant has joined the investigation and is not required for any further investigation.

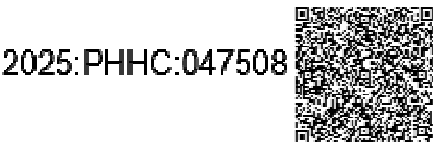
6. Having considered the aforesaid facts and circumstances, the appeal is allowed. Order dated 20.03.2025 passed by this Court, is hereby made absolute.

7. This order should not be treated as "blanket" order. It will not be read granting the appellant(s) 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. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the appellant(s).

9. The accused- appellant(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

10. The accused- appellant(s) shall not leave India without prior permission of the Court.



11. The accused- appellant(s) shall join the investigation as and when called by the police.

12. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused- appellant (s), in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

 Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

7.4.2025
Ramandeep Singh

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