



CRA-S-675-2025

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

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**CRA-S-675-2025
Decided on:- 28.04.2025**

Vijay Kumar**....Appellant****Versus****State of Haryana and another****....Respondents****CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Gurdarshan S. Sidhu, Advocate
for the appellant.

Ms. Ambika Sood, Addl. A.G. Haryana.

Mr. Narender Singh Sidhu, Advocate
for respondent No. 2/complainant.

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AMARJOT BHATTI, J.(Oral)

1. Appellant Vijay Kumar has filed appeal against impugned order dated 17.02.2025 vide which his anticipatory bail has been dismissed by learned Additional Sessions Judge, Fast Track Special Court, Sirsa in FIR No. 0012 dated 06.01.2025 under Section 85 of Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(s) of SC/ST Act registered at Police Station Sadar Dabwali.

2. Facts of the case are inquiry report was submitted by Deputy Superintendent of Police, Head Quarter Dabwali addressed to Superintendent of Police, Dabwali on the complaint filed by prosecutrix against Vijay Kumar Godara and Ashok Kumar. Prosecutrix alleged that she came in contact with accused Vijay and they were in live-in relationship since 2015. They also developed physical relations as accused had assured to solemnize marriage with her. When prosecutrix insisted for



marriage, he refused to marry her. She went to the house of accused to plead before his parents to perform her marriage with Vijay Kumar. Ashok Kumar, elder brother of Vijay Kumar started abusing her and stated that marriage will not be performed with a girl of lower caste. They will not even drink water from her hands. She was thrown out of the house. Thereafter, complaint was filed before Police Station Women, Sirsa.

3. Learned counsel for appellant argued that learned Additional Sessions Judge, Fast Track Special Court, Sirsa has declined his anticipatory bail application vide impugned order dated 17.02.2025 without evaluating facts and circumstances of present case. Appellant has not committed any offence. No offence is made out qua him under the provisions of SC/ST Act. In fact, they got married on 09.09.2024. A dispute arose between them and complainant started raising demand for a share in his parental house or cash of Rs. 20 lacs. He was disowned by family, as a result, he started residing in a rented accommodation. Appellant is ready to join investigation as and when required. Today, one copy of compromise deed along with affidavit of prosecutrix is placed on record. It is submitted that impugned order dated 17.02.2025 may be set aside and his appeal may be allowed. Even otherwise, matter has been compromised with prosecutrix.

4. Mr. Narender Singh Sidhu, Advocate appeared and filed Vakalatnama on behalf of respondent No. 2, which is taken on record. He has confirmed the compromise arrived at between the parties and did not oppose appeal filed by appellant.



5. Status report filed by learned counsel representing State of Haryana. It is pointed out that after proper inquiry, present FIR was registered. Co-accused Ashok Kumar was joined in the investigation and he was found to be innocent. Later on, offence under the provisions of SC/ST Act was deleted and offence under Section 351(2) of BNS and Section 3(2)(va) of SC/ST Act were added. Appellant is required to join investigation. Considering the specific allegations, appellant is not entitled to any relief. Therefore, his appeal may be dismissed.

6. I have considered the arguments and have gone through the record carefully. Facts of the case indicate that prosecutrix was in relationship with present appellant since 2015. It is claimed that they were in live-in relationship. Today, learned counsel for appellant has placed on record one compromise arrived at with prosecutrix which indicates that they had performed marriage on 09.09.2024 and marriage was registered at Chandigarh and Marriage Certificate issued by Chandigarh Administration is dated 13.09.2024. Contents of compromise further indicate that now parties have filed petition under Section 13-B of Hindu Marriage Act pending before learned Additional Principal Judge, Family Court, Sirsa Camp at Dabwali. Contents of compromise and affidavit indicate that parties have resolved their dispute. Appellant is ready to join investigation as and when required. In the light of aforesaid facts and circumstances, impugned order dated 17.02.2025 passed by learned Additional Sessions Judge, Fast Track Special Court, Sirsa is accordingly set aside by accepting present appeal. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject



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to conditions that appellant will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) BNSS, 2023.

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

28.04.2025
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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No