



CRA-S-2284-2025(O&M)

- 1-

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

203

**CRA-S-2284-2025(O&M)
Decided on : 04.12.2025**

USHA RANI AND ANOTHER

. . . Appellant(s)

Versus

STATE OF HARYANA AND ANR

. . . Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Ms. Simran Kaur Bhatti, Advocate
for the appellants.

Ms. Saumya Ahluwalia, Sr. DAG, Haryana.

None for respondent No.2.

KIRTI SINGH, J. (Oral)

The present appeal has been preferred against the order dated 15.7.2025 passed by the learned Additional Sessions Judge, Hisar, whereby the application filed by the appellants under Section 438 Cr.P.C. seeking anticipatory bail in a criminal complaint moved by the complainant-respondent No. 2 bearing No.SC/321 dated 05.10.2016 under Sections 323, 376, 406, 417, 420, 506 IPC, and Sections 3(1)(xi), 3(2)(v) of the SC/ST Act and appellants were summoned under Sections 323, 506 of IPC and Sections 3(1)(xi), 3(2)(v) of the SC/ST Act.

2. Vide order dated 10.09.2025, this Court passed the following order:

“The present appeal has been preferred against the order dated 15.7.2025 passed by the learned Additional Sessions Judge, Hisar, whereby the application filed by the appellants under Section 438 Cr.P.C. seeking anticipatory bail in a criminal complaint moved by the complainant-respondent No. 2 bearing No. 257-I dated 05.10.2016 under Sections 323, 376, 406, 417, 420, 506 IPC, and Sections 3(1)(xi), 3(2)(v) (i) of the SC/ST Act.



CRA-S-2284-2025(O&M)

- 2-

Learned counsel for the appellants submits that the appellants, being the sister and brother-in-law of co-accused Rajesh, have been falsely implicated in the present case by the complainant only to harass them and to settle scores with co-accused Rajesh. Moreover, no offence under Section SC/ST Act is made out. It is submitted that earlier complainant-respondent No. 2 moved a complaint against the accused including the present appellants alleging therein that accused Rajesh on the false pretext of getting her a government job, and also marrying her, made physical relations with her. After sometime, when the complainant came to know that the said Rajesh was already married and having two children, she went to the house of Rajesh, where she was abused by the name of her caste by all the accused. Further, appellant No. 2 also slapped her daughter and threatened to kill them. However, during investigation, the allegations levelled in the said complaint were found to be false and the complaint was filed in the office concerned. Subsequently, the complainant filed another complaint under Section 156(3) Cr.P.C. before the learned Court concerned. However, vide order dated 29.3.2017 (Annexure A-4) passed by the JMIC, Hisar, the said complaint was also dismissed. Against the said order, the complainant filed a revision petition before the Court of learned Additional Sessions Judge Hisar, which was allowed on 30.11.2021 (Annexure A-5) and the order dated 29.3.2017 (Annexure A-4) was set aside. It is further submitted that in compliance to the order dated 30.11.2021, the appellants along with other co-accused were ordered to be summoned. However, vide order dated 23.2.2024 passed by the learned Court concerned, the appellants were declared proclaimed persons. It is submitted that vide impugned order dated 15.7.2025, the bail application has been wrongly rejected by the learned Court concerned. The appellants are ready and willing to appear before the learned Court concerned and to join the proceedings pending in the criminal complaint.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana. waives service of notice on behalf of respondent No.1-State.

Reply by way of affidavit of Deputy Superintendent of Police, H.Q., Hisar has been filed by the State, which is taken on record. Copy thereof has been supplied to the learned counsel for the appellants.

Notice to respondent No. 2 be issued for 19.9.2025."

3. Learned counsel for the appellants, while reiterating the aforementioned contentions, submits that though the appellants were declared proclaimed offenders, however they appeared and surrendered before the learned trial Court in the case pending against them under Section 174 A IPC, whereupon the learned trial Court released them on bail. Learned counsel has produced the



CRA-S-2284-2025(O&M)

- 3-

said bail orders in Court today, which are taken on record. It is also submitted that the main accused was also directed to join proceedings before the learned trial Court, whereafter his bail order was made absolute vide order dated 18.04.2024 passed in CRA-S-3376-2023.

4. Learned State counsel, while relying on the contents of the status report dated 05.09.2025 submits that though initially, no substantial evidence was found against the appellants and thus the complaint filed against them was dismissed. However, the said dismissal order was set aside in revision and the appellants were ordered to be summoned in the case.

5. Heard.

6. Despite notice having been duly served to respondent No.2, none has caused appearance on behalf of respondent No.2 since the last three dates of hearing.

7. In the entirety of the facts and circumstances of the instant case, the appellants are directed to surrender/join proceedings of the case before the learned trial Court/Illaq Magistrate concerned within 10 days from today, and on their doing so the trial Court/Illaq Magistrate shall release them on bail subject to its satisfaction.

8. Accordingly, present petition stands disposed of in above said terms.

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

(KIRTI SINGH)
JUDGE

04.12.2025

Kavita

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*