



CRA-S-3153-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRA-S-3153-2025
Decided on: 22.04.2026

AMARJEET

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rajesh Nain, Advocate,
for the appellant.

Mr. Parveen Kumar Aggarwal, Addl. AG, Haryana.

SANJAY VASHISTH, J.

1. Present appeal has been filed by the appellant, seeking grant of anticipatory bail in case bearing FIR No.303, dated 08.09.2025, under Section(s) 115, 126, 3(5), 351(3) of BNS and sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Act, 1989, registered at Police Station Hisar Civil Lines, District Hisar.

2. On 13.10.2025, following order was passed:-

“1. xxxxx xxxx xxxx xxxx

2. *Learned counsel for the appellant submits that, as per the allegations in the FIR, complainants Karina and Sneha, who belong to the Valmiki community, alleged that their scooty was struck by a vehicle coming from the opposite direction. Upon raising an objection regarding the negligent driving, the accused and the girl accompanying him allegedly got into a physical altercation with the complainants. It is further alleged that during the scuffle, the male accused threatened the complainants by referring to their caste and warned them that he resided in the same locality and would not spare them if they were seen in the area again. Additionally, there is an allegation that accused*



touched one of the complainants on her breast with ill intent.

3. *Learned counsel for the appellant argues that, from perusal of the FIR, it is evident that accused and complainants were unknown to each other prior to the incident, as the FIR does not disclose the names of accused, including that of the appellant. Therefore, prima facie, the essential ingredients of offences under Sections 3(1)(r), 3(1)(s), and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 are not made out.*

4. *In support of his submission, counsel relies upon the order dated 01.07.2022 passed by a co-ordinate Bench of this Court in CRM-M-27873-2022, to contend that present appeal is maintainable and, in the absence of a prima facie case attracting the provisions of the SC/ST Act, appellant is entitled to relief as prayed for.*

5. *It is further submitted that a simple incident of a minor collision between two vehicles, resulting in no injury, has been unnecessarily exaggerated and given the colour of an offence under the SC/ST Act, by concocting the version against the appellant. It is also pointed out that determination of whether any offence is actually made out remains within the domain of the investigating agency and trial court, as and when such stage arises. Moreover, appellant is ready and willing to join the investigation and cooperate with the authorities, if granted protection from arrest. Thus, counsel prays for grant of anticipatory bail to the appellant in the present case.*

6. *Notice of motion.*

7. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts an appearance on behalf of the respondent/State, and seeks some time to file status report in the matter.*

8. *Adjourned to 13.01.2026.*

9. *Meanwhile, the appellant is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the appellant shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The appellant shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

10. *Besides, it is directed that appellant would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*



It is also directed that before leaving country any time during trial, appellant would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the appellant contends that in compliance of the order dated 13.10.2025, passed by this Court, appellant has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Mr. Sanchit Punia, Advocate, puts in appearance on behalf of respondent No.2, and files his *vakalatnama* in Court today, which is taken on record.

5. Learned State counsel on instructions from ASI Jitender, confirms the said averment made by counsel for the appellant of joining the investigation by the appellant, and submits that as of now, custodial interrogation of the appellant is not required for the purpose of investigation.

6. Heard learned counsel for the parties.

7. Since, appellant has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 13.10.2025 passed by this Court is hereby made absolute. Accordingly, present appeal is allowed.

However, appellant shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, appeal stands disposed of.

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8. However, present order would be subject to the submission of passport of the appellant to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

22.04.2026

Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**