



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

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**CRA-S-166-2025 (O&M)
Date of decision: 25.02.2025**

Vikash Chandila through father

....Appellant

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kunal Dawar, Advocate
and Mr. Rohit Rana, Advocate
for the appellant.

Mr. S.K. Panwar, Addl. A.G., Haryana.

Mr. B.R. Rana, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (Oral)

1. The instant appeal has been preferred against the order dated 03.01.2025 passed by learned Additional Sessions Judge, Faridabad, in FIR (*supra*), vide which application filed by the appellant for grant of anticipatory bail has been dismissed.

2. On 17.01.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the appellant, inter alia, contends that no specific injury has been attributed to the appellant. The offence under Sections 354A, 354B & 354D of IPC have been deleted and there is a delay of 08 days in registration of FIR (supra), which creates a serious doubt on the case set up by the prosecution. Further, the factual ingredients to invoke the provisions of SC&ST Act are not

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made out. The FIR (supra) is an outcome of monetary dispute, regarding which, an FIR No.50 dated 04.05.2024 has been registered under Sections 406 & 420 of IPC, at Police Station Bhupani, District Faridabad and brother of the complainant has already been booked in the said FIR.

Notice of motion for 25.02.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the appellant is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the appellant will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The appellant shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the appellant to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the appellant in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in



accordance with law.”

3. Learned State counsel, on instructions from Inspector Naresh Kumar, at the very outset, informs the Court that the appellant has joined the investigation and his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 17.01.2025 is hereby made absolute. The appellant shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).

5. The appeal stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

25.02.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No