

CRA-S-1728-2025

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

CRA-S-1728-2025

Decided on:29.05.2025

Ayush

.... Appellant

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGILPresent: Mr. Nitin Bhanwala, Advocate
for the appellant.

Mr. Chetan Sharma, DAG, Haryana.

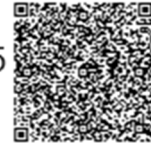
Sandeep Moudgil, J. (Oral)**1. Prayer**

This appeal has been filed second time under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as SC/ST Act) after being aggrieved by the impugned order dated 17.03.2025 passed by Addl. Sessions Judge, Kaithal vide which anticipatory bail of the appellant stood dismissed in FIR No.170 dated 24.09.2024 registered at Dhand Police Station, Kaithal under Sections 115, 351(2), 191(3), 126, 190 of BNS and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST Act, 1989.

2. On oral request of learned counsel for the petitioner, the present appeal may be considered as a petition under Section 528 BNSS (erstwhile Section 482 Cr.PC) prayer is accepted. The appeal shall now be read as appeal under Section 528 BNSS for quashing of order dated 17.03.2025.

3. Learned State counsel on instructions from Bir Bhan, DSP, submits that the petitioner has joined the investigation and is not required for further interrogation and accordingly, the same is hereby made absolute.

4. Today, explanation by way of an affidavit of Bir Bhan, Deputy



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Superintendent of Police, Headquarter, District Kaithal has been filed on behalf of respondent-State, which is taken on record. In the said affidavit, an attempt has been made to cite excuse with the assertion that he actually signed the reply dated 18.04.2025, which was filed before learned JMJC, Kaithal in haste and never meant to ask for certified copy of the order passed by this Court whereby the petitioner was granted interim bail with a direction to join the investigation.

5. This Court proceeding against show cause notice as to why the contempt proceedings be not initiated against the said officer and in pursuance thereof, Sh. Bir Bhan, Deputy Superintendent of Police, Kaithal has come present in Court and filed the affidavit dated 27.05.2025 tendering unconditional apology for the same.

6. Though there is no justifiable reason coming forth to accept the unconditional apology tendered on behalf of the officer concerned since there seems to be willful disobedience of the order passed by this Court though taking a lenient view, he is discharged from the show cause notice.

7. However, learned State counsel assures the Court on instructions from Superintendent of Police, Kaithal that the departmental proceedings against the officer would be duly conducted and be taken to a logical conclusion and he will be punished accordingly, in case, he is found guilty of dereliction in duty and causing disobedience to the orders of this Court.

8. In the light of above, this petition is disposed of.

29.05.2025
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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/non-speaking?
Whether reportable?

Yes/No
Yes/No