



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

**CRA-S-461-2025(O&M)
Date of decision: 24.03.2025.**

Jagjeet Singh

....Appellant.

Versus

State of Haryana and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. L.S. Sekhon, Advocate,
for the appellant.

Mr. Surender Singh, AAG, Haryana.

Mr. Keshav Partap Singh, Advocate,
for respondent No. 2.

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SANJIV BERRY, J. (ORAL)

By way of instant appeal, appellant has assailed the impugned order dated 06.02.2025, passed by learned Additional Sessions Judge, Special Court, Kaithal, in case FIR No. 25 dated 23.01.2025 under Sections 351(2) BNS and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 (for short, 'the SCs and STs Act, 1989') registered at Police Station Guhla, Kaithal, vide which the anticipatory bail of the appellant had been dismissed.

2. Heard.

3. Learned counsel for the appellant contends that appellant is innocent and has been falsely implicated in this case. He contends



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that vide order dated 25.02.2025, the appellant had been directed to join investigation and was granted interim bail. He submits that in pursuance to the aforesaid order, the appellant has joined the investigation.

4. Learned State counsel, on instructions from ASI Kuldeep, who is the Investigating Officer of the case, intimates the Court that the appellant has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Learned counsel for the complainant has opposed the grant of bail to the appellant and the submissions made by learned counsel for the appellant.

6. During the course of hearing on 25.02.2025, following order was passed: -

'The present appeal has been preferred against the order dated 06.02.2025 passed by the Addl. Sessions Judge, Special Court, Kaithal in case FIR No.25 dated 23.01.2025 registered under Sections 351(2) BNS and Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC and ST Act (Prevention of Atrocities) Act, 1989 at Police Station Guhla, Kaithal.

A status report dated 24.02.2025 by way of an affidavit of Kuldeep Singh, HPS, Deputy Superintendent of Police, Guhla has been filed on behalf of the State by the learned counsel for the State. The same is taken on record.

Mr. Keshav Partap Singh, Advocate has put in appearance on behalf of the complainant and has filed his Vakalatnama. The same is taken on record.

The learned counsel for the appellant contends that the appellant has been falsely implicated on account of earlier complaints filed by him which are Annexures A-7 and



A-8 on record. The story per se is unbelievable and refers to an occurrence of 10 years ago as also the present occurrence.

Adjourned to 24.03.2025.

In the meantime, the appellant is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 482(2) BNSS:-

i) that the appellant shall make himself available for interrogation before the Investigating Officer as and when required;

ii) that the appellant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

iii) that the appellant shall not leave the country, without prior permission of the Court and shall surrender his/her/their passport, if any.

Meanwhile, the State counsel is directed to file an affidavit as to the exact role of the appellant along with the details of pending FIRs, if any, on or before the next date of hearing.'

7. After considering the rival contentions and perusing the record, it transpires that the appellant has been implicated in the instant FIR for having committed offence punishable under Sections 351(2) BNS and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SCs and STs Act, 1989 registered at Police Station Guhla, Kaithal, and as per learned State counsel, he is not required for further investigation nor he is required for custodial interrogation of the case. This be the case, the interim bail granted to the appellant vide order dated 25.02.2025 is



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hereby confirmed subject to the conditions as envisaged under Section 482(2) BNSS. The appellant is directed to join investigation as and when required in future also by way of a written notice for such purpose to be served by Investigating Officer of this case; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. With these observations, the impugned order dated 06.02.2025 passed by learned Additional Sessions Judge, Special Court, Kaithal, is set aside and the instant appeal stands allowed.

9. Pending miscellaneous application, if any, stands Disposed of.

(SANJIV BERRY)
JUDGE

24.03.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |