



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

215

CRA-S-708-2025 (O&M)
Date of decision: 03.04.2025

Surender Chandila

....Appellant

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kunal Dawar, Advocate
for the appellant.

Mr. Vikas Bhardwaj, AAG, Haryana.

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

HARPREET SINGH BRAR J. (Oral)

CRM-8748-2025

Heard.

Allowed as prayed for.

CRM-8749-2025

Heard.

Allowed as prayed for.

CRA-S-708-2025 (O&M)

1. Present appeal has been preferred against the order dated 18.02.2025 passed by learned Additional Sessions Judge, Faridabad, vide which application filed by the appellant for grant of anticipatory bail in FIR No.49 dated 03.05.2024 under Sections 323, 354-A, 354-B, 354-D, 341, 506, 34 of the Indian Penal Code, 1860 (for short 'IPC')



[later on Sections 354-A, 354-B, 354-D of IPC were deleted, whereas Section 325 of IPC and Sections 3/33/89 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short 'SC & ST Act') were added], registered at Police Station Bhupani, District Faridabad

2. On 03.03.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the appellant, inter alia, contends that 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. While examining the veracity of the allegations levelled by the complainant, offences under Sections 354-A, 354-B, 354-D of IPC were deleted. Further, the factual ingredients invoking the provisions of SC&ST Act are not made out. Similarly situated co-accused of the appellant, namely Yogesh Chandila and Vikash Chandila, have already been granted the concession of anticipatory bail by this Court vide order dated 21.01.2025 passed in CRA-S-129-2025 and the order dated 25.02.2025 passed in CRA-S-166-2025, respectively and one more co-accused namely Lalit Chandila has also been granted the concession of ad interim anticipatory bail by this Court vide order dated 11.02.2025 passed in CRA-S-413-2025. It is further contended that the FIR (supra) is outcome of a monetary dispute, regarding which, FIR No.50 dated 04.05.2024 has been registered under Sections 406 & 420 of IPC, at Police Station Bhupani, District Faridabad against brother of the complainant.

Notice of motion.

Ms. Geeta Sharma, DAG, Haryana, who is present in



the Court, accepts notice on behalf of respondent No.1-State and Mr. B.R. Rana, Advocate appears on behalf of respondent No.2 and waives service. He undertakes to file his Vakalatnama in the Registry on or before the next date of hearing.

Adjourned to 03.04.2025.

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 assisted with learned counsel for respondent No.2 and on instructions from ASI Rajiv 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 03.03.2025 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 petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

03.04.2025

yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No