

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Appeal (SJ) No. 781 of 2024

1. Daljeet Kumar @ Daljeet Chauhan @ Jeeta @ D.K. Chouhan
2. Kamaljeet Kaur **Appellants**

Versus

1. The State of Jharkhand
2. Gita Kumari Paswan **Respondents**

CORAM : HON'BLE MR. JUSTICE NAVNEET KUMAR

For the Appellant(s) : Mr. Rajesh Kr. Singh, Advocate

For the State : Mr. Abhay Kr. Tiwari, APP

Order No. 03 / Dated 25th February, 2025

Heard learned counsel for the parties.

2. The learned defence counsel appearing for the appellants submitted that the appellants are uncle-in-law and aunt-in-law of respondent No.2 who had instituted the complaint case vide SC/ST Case No.04/2023 before the learned Additional Sessions Judge-I-Cum-Special Judge, SC/ST, Ramgarh where on the basis of the complaint case instituted by respondent No.2 a prima facie case was found for the offence punishable under Sections 323/498A & 506 of the IPC and under Section 3(1)(r),3(1)(s) of the SC/ST Act, 1989.

3. It has further been submitted that these appellants resides at a different place at Bachra and have nothing to do with the internal affairs with the co-accused-Deves Kumar who is said to be the husband of Respondent No.2 and therefore these appellants have no role in the commission of the offence and the entire allegations made against them by the respondent No.2 are false and fabricated and the summoning order dated 23.01.2024 passed by the learned Additional Sessions Judge-I-Cum-Special Judge, SC/ST, Ramgarh in SC/ST Case No.04/2023 against these appellants are bad in law and fit to be set aside.

4. However, the appellants are not challenging the summoning orders in the present case and they have come before this Court for the grant of Anticipatory Bail which has been rejected vide order dated 11.11.2024 in A.B.P NO.351/2024 which is under challenge in this appeal.

5. On the other hand, learned APP opposing the prayer of the appellant submitted that let the notice be issued to the respondent No.2 who is complainant in the present case and he may be allowed to file counter-affidavit in this case.

6. In view of the aforesaid submission, issue notice to the respondent No.2.

7. Learned APP is directed to ensure that the notice be served upon the respondent No.2 through the concerned police station and file a affidavit to that effect with respect to the proper service of notice by the next date, positively.

8. Further in view of the submission advanced on behalf of the appellants, it is found just and fair to give interim relief to the appellants and accordingly, it is directed that no coercive steps shall be taken against these appellants in the present case in connection with SC/ST Case No.04/2023 pending in the Court of learned Additional Sessions Judge-I-Cum-Special Judge, SC/ST, Ramgarh.

9. List this case on 27th March, 2025.

(Navneet Kumar, J.)

Basant/S. Das