

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

CRM M-40001 of 2015

Date of decision : 04.12.2015

Rameshwar @ Ram Saran

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Gaurav Dhir, DAG Haryana.

RAJAN GUPTA J.

This is a petition filed under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner vide FIR No. 181 dated 26.10.2014 under sections 148, 149, 323, 325, 452, 427, 354, 506 IPC and section 3 of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act 1989 at Police Station Hassanpur district Palwal.

Allegation in the FIR is that petitioner alongwith co-accused accosted the complainant side on 24.10.2014. They assaulted them and hurled abuses. Offensive language was used regarding the caste of the complainant's family. Petitioner earlier approached this court with a similar petition. This court relegated him to the remedy of seeking regular bail from the court below and directed that his arrest shall remain stayed till the decision of the bail application. Operative part of the order reads as under:-

"Under the circumstances, this petition is disposed of and petitioner is relegated to the remedy of seeking regular bail before the trial court. In the eventuality,

petitioner moves an application for bail within ten days from today, same shall be decided within a week thereafter.

Arrest of the petitioner shall remain stayed till the decision of the bail application."

It appears, however, that petitioner did not avail of the relief granted by this court in aforesaid order. He again moved the court of Additional Sessions Judge, Palwal with a prayer for grant of pre-arrest bail. Same has been rejected by the court on merits. Under the circumstances, I do not find any ground to grant the concession of anticipatory bail to the petitioner. Dismissed.

December 04, 2015

Ajay

(RAJAN GUPTA)
JUDGE