

S.No.201

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

CRM-M-54203 of 2018 (O&M)

Date of Decision:24.12.2018

RohitPetitioner

Vs.

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Jainainder Saini, Advocate
for the petitioner.
Mr. Vijesh Sharma, DAG, Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of bail in case FIR No.188 dated 17.11.2018 registered under Sections 186/353/506/34 IPC at Police Station Bass, Police District Hansi, District Hisar.

Counsel for the petitioner contends that the petitioner has not committed any offence, as alleged in the FIR. In fact; being an ex student of the School, the petitioner had gone to School to get his form attested. However, the Principal was not inclined to attest the form of the applicant, because the cousin of the present petitioner had lodged some complaint against the Principal with the government authorities; regarding illegal felling of trees by the Principal. The Principal has only utilised this occasion to give vent to his frustration due to complaint made by cousin of the petitioner. The Principal/complainant has alleged only use of filthy language by the petitioner. Otherwise, there is no other allegation with regard to the Principal suffering any injury.

Notice of motion.

On asking of the Court, Mr. Vijesh Sharma, DAG, Haryana,
accepts notice on behalf of the State.

Learned State Counsel submits that the petitioner has committed a crime by using filthy language against the complainant in the school promisees. However, it is not disputed by learned State Counsel that no injury has been caused to the complainant. It is also not disputed that besides the alleged verbal use of filthy language, there is no other allegation against the petitioner.

In view of the above submissions made by counsel for the petitioner, but without commenting any further upon merits of the case, the present petition is allowed. In case of his arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

December 24, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No