

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

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**CRM-M-40840-2019(O&M)
Date of Order:16.10.2019**

YOGESH YADAV

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. A.P.Jain, Advocate, for the petitioner.
Mr. Vikas Chopra, DAG, Haryana

ANIL KSHETARPAL, J(Oral)

Petitioner prays for grant of pre-arrest bail in FIR No.275, dated 31.08.2019, registered under Sections 294/506/353/186 IPC, at Police Station Manesar, Gurgaon.

Keeping in view the facts of the case, petitioner was directed to join investigation, on 23.09.2019 by passing the following order:-

“Petitioner prays for grant of anticipatory bail in FIR No.275, dated 31.08.2019, registered under Sections 294/506/353/186 IPC, at Police Station Manesar, Gurgaon.

Allegations against the petitioner are that the petitioner along with his co-accused used to park their car in front of the main gate of girls school and on being restrained, they misbehaved and gave threatening calls.

Notice of motion for 16.10.2019.

On asking of the Court, Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of the State. A copy of the petition be handed over to Mr. Bhupender Beniwal, AAG, Punjab, during the course of the day.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to 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.

Keeping in view the facts of the present case, petitioner along with his father is directed to remain present in the Court on the next date of hearing.”

Counsel for the State, on instructions from ASI Kashmeer Singh, has submitted that the petitioner did come forward to join investigation but did not cooperate. He refused to disclose the name of other boy, who was sitting with the petitioner in the Car bearing No.HR-26-DU-0967 which belongs to the father of the petitioner.

Learned counsel for the petitioner has submitted that there is a delay of 4 days in filing the FIR.

It is apparent from the reading of the FIR that initially constable posted at the school was trying to contact the father of the petitioner to avoid lodging of the FIR, however, father of the petitioner had used abusing language against the Principal of the school and the aforesaid constable. Girl students of the aforesaid school have already filed a writ petition i.e. CWP No.20308-2019, alleging harassment.

In view thereof, petitioner does not deserves the concession of pre-arrest bail

Dismissed.

October 16, 2019

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Whether speaking/reasoned

Whether reportable

**(ANIL KSHETARPAL)
JUDGE**

: Yes/No

: Yes/No