

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

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**CRM-M-45864-2019
Date of Decision: 13.01.2020**

Rakesh Yadav

... Petitioner

vs.

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Neeraj Yadav, Advocate, for the petitioner.

Mr. B.S.Virk, Deputy Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

Briefly, the allegations against the petitioner are to the effect that his wife, namely, Usha Devi was working as a Teacher in a Government Senior Secondary School, Ateli Mandi and on 05.08.2019, the petitioner along with his wife had given beatings to Amar Singh, DPE and on the basis of statement of Madan Gopal, Principal, the case bearing FIR No. 213 dated 09.08.2019 has been registered at Police Station, Ateli District Mohidergarh.

The copies of MLRs pertaining to petitioner and his wife-Usha Devi have been placed on record by learned State counsel.

In terms of order dated 31.10.2019, the petitioner was extended the benefit of interim bail. Subsequently, vide order dated 27.11.2019, it was also observed that the interim order would operate qua offence punishable under Section 333 IPC also.

It has been stated by learned counsel for the petitioner that in the same occurrence, injuries have been inflicted upon the petitioner and his wife regarding which a separate FIR No.207 dated 05.08.2019 has been registered against Amar Singh, DPE and Madan Gopal, Principal. The said

FIR has been lodged on the day of occurrence only and the present FIR has been lodged after a delay of 04 days and there is one grievous injury on the ring finger of right hand of Amar Singh, DPE.

It has been further stated that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel, on instructions from SI Ashok Kumar, has not disputed the factual position.

The petitioner has already joined the investigation in pursuance of order dated 31.10.2019 passed by this Court and there is delay of four days in lodging the present FIR. Moreover, it is case of version and cross-version. As such, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. Therefore, order dated 31.10.2019, vide which interim bail was granted to the petitioner and order dated 27.11.2019, vide which the interim order was directed to be operative qua offence under Section 333 IPC also, are made absolute.

Disposed of.

(VIVEK PURI)
JUDGE

13.01.2020

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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No