

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

CRM No.M-2345 of 2015

Date of Decision: 4.2.2015

Sanjiv Kumar

.....Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Mr.Kartik Gupta, Advocate for the petitioner.

Mr.J.S.Sekhon, AAG Punjab for the State.

MEHINDER SINGH SULLAR, J. (Oral)

The petitioner has preferred the instant petition for the grant of concession of regular bail, in a case registered against him along with his other co-accused, namely, Sandeep Singh alias Mota, Sandeep Kumar alias Seepa and 27 others, vide FIR No.92 dated 10.6.2013 (Annexure P1), on accusation of having committed the offences punishable under sections 148, 436 and 427 read with section 149 IPC, by the police of Police Station City Hoshiarpur.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable help and considering the entire matter deeply, to my mind, the present petition for regular bail deserves to be accepted in this respect.

4. Precisely, the prosecution, inter-alia, claimed that all the 30 accused caused rowdiness in jail and damaged the jail property including the Video Conferencing Room. Neither any specific role nor particular part is attributed to the petitioner in the FIR. Very vague and general allegations

of commission of indicated crime are assigned to him.

5. Moreover, the petitioner was arrested on 10.6.2013. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. Since not even a single witness has yet been examined by the prosecution, so, the final conclusion of trial will naturally take a long time.

6. Not only that, Sandeep Kumar alias Seepa and Sandeep Singh alias Mota, similarly situated co-accused of petitioner, were granted the concession of regular bail by a Coordinate Bench (Rekha Mittal, J.), by means of order dated 7.2.2014, rendered in CRM No. M-2503 of 2014 and order dated 21.5.2014 passed in CRM No.M-43204 of 2013 by this court. Therefore, I see no reason not to extend the same benefit of regular bail to the present petitioner as well under the similar set of circumstances.

7. In the light of aforesaid reasons, taking into consideration the totality of the facts & circumstances, emanating from the record, as indicated here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side, during the course of trial of main case, the instant petition for regular bail is accepted. The petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

8. Needless to mention that nothing observed, here-in-above, would reflect, on merits of the main case, in any manner, during the course of trial, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail.

(Mehinder Singh Sullar)
Judge

4.2.2015
AS