

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-23801 of 2015

Date of Decision: August 13, 2015

Jatinder Kumar

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGHPresent: Mr.R.S.Bains, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.37 dated 12.02.2015 under Sections 147, 148, 149, 323, 332, 506, 109, 435, 436, 451, 427 and 120-B IPC, registered at Police Station Udyog Vihar, District Gurgaon.

Notice of motion.

Mr.Satish Saini, Deputy Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and contests the petition.

Police record is also available.

From the record, I find that FIR in the present case has been got registered by Piyush Sanon, General Manager, Operations. The main case of the prosecution is that on 10.02.2015 at about 9.40 A.M., Shammi Chand came to factory after two days' absence and guard stopped him and dispute arose between Shammi Chand and

the guard. Thereafter, Shammi Chand along with his wife, who was also working in the factory, went to his house. Because of quarrel, 150-200 workers of factory came on the gate and they broke the gate of the factory and damage was caused to so many vehicles. Then workers of other factory also joined the mob and they set on fire some vehicles and about 100 vehicles got damaged. It is also the allegation that during the incident, they attempted to kill one Rajesh Malhotra, who is Production Manager, in the factory.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the present petitioner is not named in the FIR. He is in custody since 14.04.2015. He is no more required for any investigation or interrogation purposes as he is in judicial custody. Challan is stated to have been presented. No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the merits of the case in minute details and without expressing any opinion on the merits of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on furnishing bail bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate, Gurgaon.

August 13, 2015
Vgulati

(INDERJIT SINGH)
JUDGE