

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

CRM-M-41467 of 2015.

Decided on:-14.12.2015.

Hardeep and another

.....Petitioners.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Maharaj Kumar, Advocate
for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioners during the pendency of trial in case FIR No.840 dated 18.11.2015 under Sections 332, 353, 379-A, 511 and 186 read with Section 34 IPC and Section 68 of the Punjab Excise Act, 1914 registered at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner contends that the petitioners

were travelling in their car bearing registration No.HR-05-AM-6917 and the car met with an accident with a tralla which was heading the car. On account of this accident, crowd was gathered and it was not possible to give passage to the bus. Due to the crowd, a scuffle took place between the petitioner and conductor of the bus. The allegation that the petitioners had snatched the bag of the conductor and obstructed him from discharge of his public duty is false.

Learned counsel for the petitioners further submits that the provision of Section 379-A has recently been inserted in the Indian Penal Code. As per the amended provision, though the offence is triable by the Court of Session, however, the minimum sentence for the same is five years.

Learned State counsel, on instructions from ASI Jagdish Kumar, submits that the petitioners who were under the influence of liquor had created a scene at the place of occurrence and obstructed the conductor of the bus from discharge of his duty.

Heard.

Considering the fact that the petitioners are in custody since 18.11.2015 and trial is yet to begin, no useful purpose would be achieved by detaining them in custody during the pendency of the trial.

Accordingly, the instant petition is allowed and the petitioners are admitted to regular bail on their furnishing bail bonds and surety bonds to the satisfaction of Illaqa Magistrate, Karnal.

Needless to say that the observations made hereinabove shall have no expression on the merits of the case and the trial Court shall decide the case on the basis of availability of evidence.

December 14, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE