

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-6114 of 2015

Date of Decision: 24.03.2015

Raghu Nandan and others

....Petitioners

v.

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. L.M. Gulati, Advocate for the petitioners.

Mr. K.S. Pannu, DAG, Punjab .

Navita Singh, J.

This petition has been moved by Raghu Nandan Gaur, Girish Kaur, Gulzar Singh and Harpreet Singh under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.106 dated 24.12.2014 registered under Sections 307/353/186/440/427/148/149/120-B IPC and Section 4 of Prevention of Damage to Public Property Act at Police Station City Raikot, District Jagraon.

The land on which the cows were grazing, belonged to Mandir Shivala, Kham as per FIR No.98 dated 25.11.2010 in which also present petitioners Raghu Nandan Gaur and Girish Gaur were named along with others. An inquiry was conducted by Tehsildar Raikot according to whose report (Annexure P.2), the land was found to be recorded in the column of ownership as Abadi Deh and shown to be in possession of the residents of the village.

In the present FIR, i.e. FIR No.106 dated 24.12.2014 of Police Station Raikot, the property is shown to be adjacent to Mandir Shivala, Kham and not belonging to the Mandir.

Charge-sheet has already been filed in the Court as submitted by the State Counsel, on instructions from Sub Inspector Nirmal Singh,

Police Station City Raikot.

Counsel for the petitioners submits that charges are yet to be drawn up.

Since trial has not commenced, the same is likely to take some time and interrogation of the petitioners is not required at this stage, the application is allowed.

Bail to the satisfaction of the trial Court/ Duty Magistrate concerned.

(NAVITA SINGH)
JUDGE

March 24, 2015
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