

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

**Criminal Misc. No. M-25929 of 2016  
Date of Decision:-20.10.2016**

Bhup Singh

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr. K.D.S. Hooda, Advocate  
for the petitioner.

Mr. Vishal Garg, Additional A.G., 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 petitioner in case FIR No.117 dated 22.2.2016 (wrongly mentioned in the impugned order as 21.2.2016), under Sections 148, 149, 186, 188, 307, 332 and 353 IPC and Section 25 of the Arms Act (later on Section 124-A IPC added), registered at Police Station Jhajjar, District Jhajjar.

Learned counsel for the petitioner states that Section 124-A IPC, which was added in the case, has already been deleted. He further contends that the petitioner was serving as supervisor in the Vardaan Hospital, Arya Nagar, Jhajjar and when the occurrence had taken place on 21.2.2016, he was present in the new building of Vardaan Hospital.

Incidentally, the Vardaan Hospital and the new building are situated at a distant place, which otherwise located between Silani Gate to Kuldeep Chowk, Jhajjar. Therefore, the presence of the petitioner on this way was natural and he was having no intention to participate in the alleged procession. The petitioner is in custody since 21.2.2016. No specific injury has been attributed to him except that he was found noticed on the road leading to Silani Gate to Kuldeep Chowk, Jhajjar. He further states that the challan in the case has already been presented. He referred to the orders dated 21.7.2016 passed in CRM-M-21274 of 2016 titled 'Jitender vs. State of Haryana', dated 04.8.2016 passed in CRM-M-25704 of 2016 titled 'Jaideep vs. State of Haryana' and dated 11.8.2016 passed in CRM-M-27041 of 2016 titled 'Pawan Kumar @ Sunny vs. State of Haryana' by the co-ordinate Benches of this Court, wherein under the similar set of circumstances the co-accused have been admitted on regular bail.

On the other hand learned State counsel states that the petitioner was present at the scene of occurrence despite there being curfew. It was implicit that he was part of the procession, which caused destruction of the Government as well as public property.

I have heard learned counsel for the parties.

There is no dispute that the public property was burnt and huge losses was caused to the State Government but taking into consideration the fact that the petitioner is in custody since 21.2.2016 and he was supervisor in Vardaan Hospital, Arya Nagar, Jhajjar, his presence, whether he was part of the procession or otherwise is yet to be established during the trial.

Accordingly, the petition is **allowed** and the petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the trial Court.

The petitioner shall submit an affidavit that in future he shall not indulge in such type of offence/activities and shall not influence the prosecution witnesses and shall not hamper the proceedings and not temper with the record in any manner. The affidavit be filed within one week after his release on bail, failing which his bail bonds would be cancelled.

October 20, 2016  
Vijay Asija

( **HARI PAL VERMA** )  
**JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No