

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

CRM-M-26141 of 2016.

Decided on:-05.08.2016.

Satpal.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

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

Present:- Mr. Jainainder Saini, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.

The petitioner has filed this petition under Section 439 Cr.PC for grant of regular bail in case FIR No.49 dated 21.2.2016 under Sections 120-B/147/148/149/188/436/341/427 IPC, Sections 3 & 4 of the Prevention of Damage to Public Property Act, 1984 and Section 27 of the Arms Act, 1959 registered at Police Station Bhuna, District Fatehabad.

Learned counsel for the petitioner has argued that the petitioner has not been named and his identity is not clear. He has been named on the basis of some alleged secret information/investigation. Therefore, in the absence of any cogent evidence against the petitioner, he cannot be arrayed as an accused. Even the FIR in question refers that on 17.2.2016 at about 5.30 p.m., 36-40 unknown persons had entered the back side of Tehsil office, whereas Gian Chand Chowkidar working in Tehsil Office in his statement recorded under Section 161 Cr.PC, has stated that 15-20 boys came and set the Tehsil office on fire. As such, identification of the petitioner is not

established. He has further contended that the petitioner is in custody since 3.4.2016 and conclusion of the trial will take sufficient long time. Therefore, the petitioner deserves to be released on bail.

On the other hand, learned State counsel has argued that name of petitioner as Satpal, Vice-Chairman, Dhani Sanchla duly finds mention in the FIR. The allegations against the accused including the petitioner are serious in nature. The accused have entered the Tehsil office along with plastic canes filled with petrol and had set the office on fire. The petitioner was arrested on 3.4.2016 and had made a disclosure statement regarding his involvement in the case.

I have heard learned counsel for the parties.

The allegations as made in the FIR are quite serious in nature. The accused and the petitioner have even put the Tehsil Complex, Bhuna on fire and the valuable record must have been destroyed. Therefore, taking into consideration the gravity of offence, this Court does not find any merit in the present petition and the same is, accordingly, dismissed.

It is made clear that the observations made hereinabove shall have no bearing on the merits of the case and are restricted for the purpose of decision of present petition only.

(HARI PAL VERMA)
JUDGE

August 05, 2016
Yag Dutt

Whether speaking/reasoned: Yes / No

Whether Reportable: Yes / No