

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26433-2016

Date of decision: October 03, 2016.

Sandeep @ J.P. and others

... **Petitioners**

v.

State of Haryana

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri Vinod Gupta, Advocate for the petitioners.

Shri Karan Sharma, Assistant Advocate General, Haryana.

A.B. Chaudhari, J. (Oral):

Heard Learned Counsel for the rival parties. The petitioners are being prosecuted for serious offences in FIR No.36 dated 24.2.2016, registered under Sections 427, 395, 120-B IPC, PS Uchana, District Jind.

The State has filed a reply. Perused the reply.

Undoubtedly, during Jat agitation, the unlawful assembly caused heavy damage and loss to the public property and of the people also which cannot at all be justified. The petitioners are also being prosecuted for committing such acts.

The challan has been filed before the competent court. The offences are triable by Sessions Court. There are independent witnesses also, apart from evidence of CCTV footage. The trial is yet to start which will take its own time. The petitioners do not have any criminal background to their credit. In that view of the matter, looking to the fact that they are in

jail for more than seven months, there is no point in detaining them in jail till the trial is completed. Learned Counsel for the petitioners, upon instructions from the petitioners, states that the petitioners will move from Uchana and will not enter the place till the trial is completed and nor would apply for modification of the condition. In that view of the matter, following order is passed:-

ORDER

- (i) CRM-M-26433-2016 is allowed;
- (ii) bail to the petitioners to the satisfaction of the trial court/CJM concerned;
- (iii) petitioners to move from the place of Uchana and would not enter that place till completion of the trial;
- (iv) petitioners shall not influence the prosecution witnesses;
- (v) concerned Superintendent of Police is directed to take surveillance over the petitioners and shall ensure that they do not enter Uchana.

October 03, 2016.
kadyan

[**A.B. Chaudhari**]
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No