

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

**Crl. Misc. No. M- 36859 of 2016
Date of Decision:-21.10.2016**

Chaman and another ...Petitioners
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.Amit Shukla, Advocate for the petitioners.
Mr.Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioners in case FIR No.133, dated 05.09.2016, for offence under Sections 436/427/295A IPC, registered at Police Station, Morinda District-Ropar, during the pendency of trial.

Learned counsel for the petitioners contends that the petitioners, who are in custody since 15.09.2016 have not specifically been named in the FIR. Already a dispute between the complainant and the petitioners is pending as regards the grave-yard land and the petitioners have been falsely implicated in the case. He also submits that petitioner No.2, namely, Sohan Lal also belongs to the *Christian Community* and is serving as *Bishop*.

On the other hand, learned counsel for the State, on instructions from HC-Kewal Singh, submits that the petitioners have been identified from the CCTV Footage which were fitted at the adjoining shop and the building. Therefore, it can safely been stated that the petitioners are involved the alleged crime.

I have heard learned counsel for the parties.

There is no dispute regarding the fact that there is already a dispute between the complainant and the petitioners regarding the grave-yard land and the petitioners are in custody since 15.09.2016. Challan in the case is yet to be presented. Therefore, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioners, namely, Chaman and Sohan Lal, are ordered to be released on regular bail, subject to their furnishing bail/surety bonds to the satisfaction of the trial Court.

It is also made clear that expression made here-in-above shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

21.10.2016.
Anjal

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No