

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

**Crl. Misc.No.M-9239 of 2016
Date of Decision:- 22.3.2016**

Surinder Singh Thikriwal

....Petitioner(s)

vs.

State of Punjab

....Respondent(s)

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present:- Mr. R.S. Bains, Advocate,
for the petitioner.

Mr. K.S. Nalwa, Addl.A.G., Punjab.

M.M.S. Bedi, J. (Oral)

Petitioner seeks concession of regular bail in case FIR No. 151 dated 12.11.2015 under Sections 124-A/153-A/153-B/115/117/120-B of IPC read with Section 13(1) of the Unlawful Activities (Prevention) Act, 1967 and Section 66-F of the Information Technology Act registered at Police Station Chatiwind District Amritsar (Rural).

Learned counsel for the petitioner submits that similarly circumstanced co-accused of the petitioner has been granted concession of bail by this Court vide order dated March 16, 2006 in Crl.Misc. No.M-285 of 2016.

With the assistance of Mr. Nalwa, Addl.AG, Punjab, I have gone through the police file and the nature of the allegations against the petitioner. The petitioner is alleged to be the organizer of the congregation

“Sarbat Khalsa” on 10.11.2015 regarding which FIR was registered on 12.11.2015.

Seen individually, the petitioner is not attributed any specific speech which would bring the conduct of the petitioner within the ambit of definition of “sedition” or “promoting enmity between any two different groups on the ground of religion and race etc”.

On the instructions of Investigating Officer present in the Court, it has been informed by the State Counsel that there are allegations against the petitioner of having raised funds for the gathering. Since the gathering has not been notified as “unlawful association” indulging in any unlawful activity by any notification, the case of the petitioner is at par with his co-accused, who has been granted the concession of bail. Petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Illaq Magistrate subject to the condition that he will not indulge himself in any such activity during pendency of the trial.

March 22, 2016
poonam

(M.M.S. BEDI)
JUDGE