

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

**Crl. Misc. No.M-40492 of 2017 (O&M)  
Date of Decision: November 03, 2017.**

Ghuppal Singh alias Paramjit Singh

**.....PETITIONER(s).**

**VERSUS**

State of Punjab

**.....RESPONDENT(s).**

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Gurinder Singh Hayer, Advocate  
for the petitioner (s).

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**SURINDER GUPTA, J.(Oral)**

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.12 dated 21.01.2017 registered for the offences punishable under Sections 436, 427, 380, 448, 148 read with Section 149 of Indian Penal Code, at Police Station Kot Ise Khan, District Moga.

Heard.

Notice of motion.

On asking of the court, Mr. C.L. Pawar, Sr. D.A.G. Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Learned counsel for the petitioner submits that as per the allegations in the FIR, shop of the complainant, which is, in fact, on the Panchayat land, was demolished and set on fire by the petitioner and several other persons. The complainant is still in possession of that shop and six

other co-accused named in the FIR, have already been allowed anticipatory bail.

Learned State counsel submits that though six persons named in the FIR have been allowed anticipatory bail but the police has yet to arrest remaining 15 persons. As per the allegations in the FIR, he is the main accused, who conspired with other persons and put on fire the shop of the complainant and took away articles lying in the shop.

The petitioner has been arrested in this case on 09.09.2017. The matter is still under investigation. It is not disputed that the complainant is still in possession of the shop.

Keeping in view the above facts and the fact that six co-accused have already been granted anticipatory bail but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Ghuppal Singh alias Paramjit Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

( SURINDER GUPTA )  
JUDGE

November 03, 2017  
Sachin M.

***Whether speaking/reasoned:***

***Yes/No***

***Whether Reportable:***

***Yes/No***