

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**1. CRM-M-41004 of 2017
Date of Decision: 07.11.2017**

Ikbal Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

2. CRM-M-41022 of 2017

Gurmeet

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Anter Singh Brar, Advocate
for the petitioners in both the petitions.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.101 dated 26.08.2017 registered for offences punishable under Sections 148, 149, 186, 188, 332, 353, 120-B of Indian Penal Code (for short, "IPC") and 3/4 of Prevention of Damage to Public Property Act, 1984 at Police Station 20, Panchkula, District Panchkula.

Heard.

Notice of motion.

On asking of the court, Mr. Ashish Yadav, Addl. AG, Haryana, 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 State counsel submits that petitioners were part of mob, which had created law and order problem and caused damage to public property. Though, they were was not arrested at the spot. The police has arrested several persons of that mob alongwith weapons in their hands. The petitioners were arrested after sometime but no recovery of weapon was effected from their possession.

Keeping in view nature of allegations against petitioners and period of their incarceration and that challan is stated to have been presented in Court but without expressing any opinion on merits of the case, the present petitions are allowed. Petitioners, namely, Ikbāl Singh in CRM-M-41004-2017 and Gurmeet in CRM-M-41022-2017 are ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

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- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn.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

November 07, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No