

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

**CRM-M-42627 of 2017**

**Date of Decision: 16 November, 2017**

Sulakhan Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present: Mr. GBS Gill, Advocate  
for the petitioner.

Mr. H.S. Grewal, Addl. A.G. Punjab.

**FATEH DEEP SINGH, J.**

The allegations against the petitioner in this regular bail application under Section 439 Cr.P.C are that on 31.8.2017 the petitioner was arrested and from his possession two bottles petrol were recovered leading to registration of present case.

Learned counsel for the petitioner contended that there is nothing tangible to show applicability of Explosive Substances Act, 1908 and neither there is any report of the Chemical Analyst and the petitioner is behind the bars from almost two and a half months.

The factual scenario is not disputed by learned State counsel, who though has opposed the grant of bail on the grounds that the petitioner was a constant threat to law and order in the State.

Going through the submissions of the two sides, since there is no tangible evidence by way of any opinion of the Expert that the petrol in the bottles constituted petrol bomb and in the absence of any

concrete evidence against the petitioner, together with the fact that petitioner is behind the bars since last two and a half months and that the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without advertng anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

November 16, 2017

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(FATEH DEEP SINGH)  
JUDGE

Whether reasoned/speaking  
Whether reportable

Yes/No  
Yes/No