

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

CRM-M No. 43394 of 2017

DATE OF DECISION :- December 18, 2017

Mukesh and others

...Petitioners

Versus

State of Haryana

...Respondent

CRM-M No. 44044 of 2017

Gurmeet Singh and others

...Petitioners

Versus

State of Haryana

...Respondent

CRM-M No. 44034 of 2017

Balkaran and others

...Petitioners

Versus

State of Haryana

...Respondent

CRM-M No. 44029 of 2017

Ramesh Meena

...Petitioner

Versus

State of Haryana

...Respondent

CRM-M No. 43965 of 2017

Sanjay Kumar and others

...Petitioners

Versus

State of Haryana

...Respondent

CRM-M No. 43827 of 2017

Partap Singh

...Petitioner

Versus

State of Haryana

...Respondent

CRM-M No. 42623 of 2017

Pargat Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. S.K. Tripathi, Advocate for the petitioners
in CRM-M No. 43394 of 2017 and CRM-M No. 42623 of 2017.

Mr. G.B.S. Gill, Advocate for the petitioners
in CRM-M No. 44044 of 2017, CRM-M No. 44034 of 2017,
CRM-M No. 44029 of 2017 and CRM-M No. 43965 of 2017.

Mr. Pardeep Virk, Advocate for the petitioner
in CRM-M No. 43827 of 2017.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

By this order, I shall dispose of seven petitions for regular bail bearing CRM-M No. 43394 of 2017 filed by Mukesh, Makhan Singh, Gurpreet, Inderaj and Bani Ram, CRM-M No. 42623 of 2017 filed by Pargat Singh, CRM-M No. 44044 of 2017 filed by Gurmeet Singh, Harbhajan Singh and Sukhwinder Singh, CRM-M No. 44034 of 2017 filed by Balkaran, Jagdeep and Jagmeet Singh, CRM-M No. 44029 of 2017 filed by Ramesh Meena, CRM-M No. 43965 of 2017 filed by Sanjay, Gobind Kumar and

Simranjeet Singh and CRM-M No. 43827 of 2017 filed by Partap Singh.

Briefly stated, facts of the case, as per the prosecution story are that on 25.8.2017, a mob comprising of hundreds of followers of Dera Sacha Sauda had damaged the statue of Agarsen and grills at old labour chowk, putting on fire HDFC bank and Pallavi Hotel in market of Sector 16, Panchkula, though prohibitory orders were there. The police had reached at the spot and observed that hundreds of followers of Dera Sacha Sauda were throwing stones on HDFC bank, Pallavi Hotel etc. setting the buildings on fire with petrol. They had damaged various buildings and vehicles. Formal FIR was recorded. Accused were arrested in this case. Challan has since been filed against them.

The accused have filed petitions for regular bail in the Court of Sessions, but those were dismissed by the Additional Sessions Judge/Chief Judicial Magistrate, Panchkula, vide separate orders dated 9.11.2017 and 6.11.2017, as such they have approached this Court, craving for the grant of similar relief.

Notice of the petitions was given to the State.

I have heard learned counsel for the petitioners, learned State counsel, besides going through the record.

Learned counsel for the petitioners have contended that none of the petitioners is named in the FIR; that no recovery of weapons has been effected from them; that they had not committed any offence and were wrongly roped in by the police and further more a co-ordinate Bench of this Court has already granted bail to a similarly placed person, namely, Kasturi Lal.

Learned State counsel has opposed the petitions.

After giving a thoughtful consideration to the rival contentions, I find that petitioners are behind the bars for more than 3 months. The trial is stated to be at initial stage and its conclusion shall take considerable time. Co-accused of the petitioners has already been granted bail. Further, detention of the petitioners is not going to serve any useful purpose.

Therefore, the petitions are allowed and the petitioners are directed to be released on bail on furnishing of surety bonds and personal bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Panchkula subject to the following conditions:-

- (i) They shall appear in the Court on each and every date of hearing.
- (ii) They shall not give any threat or intimidation to the prosecution witnesses.
- (iii) They shall not leave India without prior permission of the Court.

In case the petitioners violate any term and condition on which the bail has been granted to them, the prosecution would be entitled to apply for cancellation of bail.

(H.S. MADAAN)
JUDGE

December 18, 2017

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No