

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

(i) CRM No.M-44486 of 2016 (O&M)

Balwan and others

...Petitioners

VERSUS

State of Haryana

...Respondent

(ii) CRM No.M-44496 of 2016 (O&M)

Ramphal

...Petitioner

VERSUS

State of Haryana

...Respondent

Date of Decision: April 06, 2017

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.G.P.S.Bal, Advocate
for the petitioners.

Mr.Deepak Sabharwal, Addl. Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together as the
same have arisen from same FIR.

Petitioners have filed these petitions under Section 439 Cr.P.C.
read with Section 482 Cr.P.C. for grant of regular bail in case FIR No.428
dated 18.11.2014 under Sections 107, 147, 148, 149, 186, 188, 120-B, 121,

121-A, 122, 123, 224, 225, 307, 332, 342, 353, 436 IPC and Section 25 of the Arms Act, registered at Police Station Barwala, District Hisar and later altered by investigation as Sections 114, 147, 148, 149, 186, 188, 120-B, 121, 121-A, 122, 123, 307, 332, 342, 353, 420, 435, 333, 326-A IPC, Sections 25, 27, 30 of the Arms Act, Section 3/4/7 Explosive Substance Act, 3/4 PDPP Act and Section 16, 18, 20, 22C and 23 of the Unlawful Activity (Prevention) Act, 1967.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Police record is also available.

As per the allegations in the FIR, Inspector along with fellow officials attempted to enter Satlok Ashram for service of Arrest Warrant, on which about 600-700 ladies and children found made sitting outside the main gate by Rampal while about 1500-2000 youngsters armed with lathi and dandas found present on all the sides of roof of Satlok Ashram, some of them were also having guns etc. It is also in the FIR that they distributed diesel and petrol containers to a number of persons and threatened that they are ready to kill or sacrifice their lives but will not allow to arrest Baba Rampal. They were informed that Section 144 Cr.P.C. has already been imposed.

Petitioner Ramphal has been in custody since 10.12.2014 and petitioners namely Balwan, Ramesh alias Rajesh, Pawan Kumar, Rajiv, Ram Chander and Natwardass have been in custody since 2014. The trial of the case will take long time. The petitioners have been in custody for more two

years. No useful purpose will be served by keeping the petitioners in custody till disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, both the petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

April 06, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No