

CRM-M-45089 of 2017

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

CRM-M-45089 of 2017
Date of Decision: 06.12.2017

Dhunni Chand

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Mohit Garg, Advocate, for the petitioner.
Ms. Bhavna Gupta, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Custody certificate filed in Court today is taken on record.

Prayer in the instant petition under Section 439 Cr.P.C. has been made for grant of regular bail to petitioner Dhunni Chand in a case arising from FIR No.146 dated 25.08.2017 registered under Sections 307, 353, 186, 427, 148, 149 and 120-B IPC (added later on) at Police Station Dirba, District Sangrur.

According to the prosecution, a car, in which five persons, namely, Satpal Singh, Mithu Singh, Harwinder Singh, Harbans Singh and Parsa Ram were travelling, was searched in routine and chilly powder along with some objectionable items was recovered from the persons aforesaid. During investigation, Harwinder Singh named the petitioner as the master-mind and director to create ruckus in the human masses and disturb the law and order situation on conviction of self-styled religious Guru, namely, Ram Rahim and taking him into custody.

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petitioner has been falsely implicated on the basis of statement of co-accused Harwinder Singh, which is a very weak type of evidence. He was not apprehended at the spot with his aforesaid-co-accused. According to the custody certificate, petitioner is in custody for the last 02 months 29 days. After filing of the final report under Section 173(2) Cr.P.C. case been committed to the Court of learned Sessions Judge. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail. Co-accused Ranjit Singh has already been granted regular bail by this Court vide order dated 20.11.2017 passed in CRM-M-43025 of 2017.

On the other hand, learned State counsel vehemently opposed prayer for grant of regular bail to the petitioner submitting that petitioner was found involved in 14 cases of arson and causing damage to the public property.

Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail on the same party as that of his co-accused Ranjit Singh, on his furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned.

December 06, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No