

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

**Criminal Misc. No.M-46287 of 2017
Date of Decision: 11.12.2017**

Gurtej Singh & another

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. G.S. Nahel, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioners in case FIR No.76 dated 25.08.2017 under Sections 436, 511, 427, 148, 149, 120-B IPC and Sections 3, 4 and 5 of the Prevention of Damage of Public Property Act registered at Police Station Cheema, District Sangrur.

Learned counsel for the petitioners contends that the allegations against the petitioners are that they have thrown chilly powder on the face of the complainant and have also thrown petrol bomb at the petrol station, however, there is no allegation against the petitioners that they have caused any damage to the public property or the person. The petitioners are in custody since 25.08.2017.

Learned State counsel does not dispute the custody of the petitioners. However, he submits that since the petitioners have tried to disrupt the peace and public property, they have rightly been booked in the case.

Having heard learned counsel for the petitioners and considering the fact that the petitioners are in custody since 25.08.2017 and the trial in the case will take long time, coupled with the fact that this Court has admitted the similarly placed accused on bail vide order dated 17.11.2017 passed in CRM-M-42835-2017 *Atwar Nagar v. State of Haryana* and order dated 4.12.2017 passed in CRM-M-44733-2017 *Yogesh Verma v. State of Haryana*, I deem it appropriate to release them on regular bail.

Accordingly, the present petition is allowed and the petitioners are admitted on regular bail, subject to furnishing of their bail bonds/surety bonds to the satisfaction of trial Court. The trial may put any other reasonable condition, as it may deem appropriate.

The petitioner shall also furnish an undertaking that in future, they shall not resort to such illegal acts and shall not destroy the evidence or influence any witness in the present case.

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

December 11, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No