

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-46885 of 2017 (O&M)

Date of Decision: 18.12.2017

Harpal Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

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

Present:- Mr. D.S. Dalee, Advocate
for the petitioner.

Mr. M.S. Nagra, 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 petitioner in case FIR No.76 dated 25.08.2017 under Sections 436, 511, 427, 148, 149, 120-B IPC and Sections 3/4/5 of the Prevention of Damage to Public Property Act, 1984 registered at Police Station Cheema, District Sangrur.

Learned counsel for the petitioner states that the petitioner is in custody since 05.09.2017 and not 25.10.2017, as stated in para 5 of the petition. The allegation against the petitioner is that he along with other co-accused has tried to damage the petrol pump by throwing a petrol bomb.

However, there is no allegation against the petitioner that he has in fact caused any damage to the public property or the person. He further states that there is no other case pending against the petitioner.

Learned State counsel has filed the custody certificate of the petitioner in Court and does not dispute the custody of the petitioner. However, he submits that since the petitioner has tried to disrupt the peace and public property, he has rightly been booked in the case and he does not deserve to be released on bail.

Having heard learned counsel for the petitioner and considering the fact that the petitioner is in custody since 05.09.2017 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*, order dated 4.12.2017 passed in CRM-M-44733-2017 *Yogesh Verma v. State of Haryana* and order dated 12.12.2017 passed in CRM-M-46287-2017 *Gurtej Singh & another v. State of Punjab*, I deem it appropriate to release the petitioner on regular bail.

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

The petitioner shall also furnish an undertaking that in future, he 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 18, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?	Yes / No
Whether reportable?	Yes / No