

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

**Crl. Misc. No.M-47545 of 2017 (O&M)
Date of Decision: December 20, 2017.**

Jodha Ram

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.V.Dhindsa, Advocate
for the petitioner (s).

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 339 dated 26.08.2017 registered for the offences punishable under Sections 146, 147, 148, 149, 186, 188, 307, 332, 353, 436, 121, 121-A, 141, 506 read with Section 120-B of Indian Penal Code; 3/4 of Prevention of Damage to Public Property Act, 1984; 3/4 of Explosive Act at Police Station Sector-5, Panchkula.

Heard.

Notice of motion.

On asking of the court, Mr. Deepak Grewal, DAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

The instant FIR was registered relating to the arson and damage to the public property in Panchkula City, after the conviction and arrest of Chief of Dera Sacha Sauda on 25.08.2017. Petitioner is alleged to have been

arrested from the spot being member of unlawful assembly indulging in looting and causing damage to the public property, in another case, on 25.08.2017. In this case, he was taken into custody on 27.08.2017. However, no recovery was effected from the petitioner.

Learned counsel for the petitioner submits that the allegations against the petitioner is that he was also member of the unlawful assembly, which indulged in arson and putting the public property on fire after the arrest of Chief of Dera Sacha Sauda.

Learned State counsel submits that after completion of investigation, the police has presented the challan and trial is in progress.

Keeping in view the above facts and that the conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Jodh Ram is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

December 20, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE