

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-47718 of 2017

Date of Decision: 20.12.2017

Dhunni Chand

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

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

Present:- Mr. Mohit Garg, 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 Prevention of Damage of Public Property Act registered at Police Station Cheema, District Sangrur.

Learned counsel for the petitioner contends that the allegation against the petitioner is that he along with other co-accused has tried to destroy the petrol pump by throwing a petrol bomb, however, no damage

has been caused to the public property or the person. The petitioner is in custody since 03.09.2017.

Learned State counsel has filed the custody certificate of the petitioner in Court does not dispute the custody of the petitioner and states that though no loss has been caused at the petrol pump, but the petitioner has tried to disrupt the peace and public property and he is involved in other cases also. He has rightly been booked in the case and 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 03.09.2017 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 in some other cases 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*, order dated 06.12.2017 passed in the case the petitioner itself i.e. CRM-M-45089-2017 *Dhunni Chand v. State of Punjab*, order dated 11.12.2017 passed in CRM-M-46287-2017 *Gurtej Singh & another v. State of Punjab* and order dated 18.12.2017 passed in CRM-M-46885-2017 *Harpal Singh 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 will 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 20, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No