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

**CRM-M No.1554 of 2018
Date of Decision: 30.01.2018**

Major Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. G.B.S. Gill, Advocate
for the petitioner.

Mr. R.S. Thind, D.A.G., Punjab.

RAJ MOHAN SINGH, J.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.96 dated 25.08.2017, registered under Sections 307, 346, 427, 148, 149 IPC and Section 3 of Public Property (Prevention of Damages) Act (Sections 120-B, 188 IPC and Section 4 of Public Property (Prevention of Damages) Act and Sections 3, 4 of Explosive Act were added later on) at Police Station Bhikhi, District Mansa, Punjab.

The aforesaid FIR was registered on the statement of Gurmeet Singh @ Geeti with the allegations that he is a farmer and Panch of the village. Seva Kendra of the village is situated

near grain market and Government dispensary of the village. At about 2.00 p.m., when the complainant went to his fields for inspection and while coming back, he stopped outside the Seva Kendra which was closed due to prevailing circumstances. At about 3.30 p.m., seven unidentified young persons came on their motorcycles from the side of village Bir Khurd. They were armed with *rod*, *kirpan*, wooden *dandas* and petrol bottles. They were proceeding towards Seva Kendra. They said in one voice that Seva Kendra should be burnt. They started breaking the glasses of Seva Kendra with their arms. The complainant tried to stop them. They tried to kill the complainant by throwing petrol and lit the fire. The complainant withdrew from the place. The miscreants burnt the Seva Kendra by throwing petrol in front of the complainant. Complainant shouted loudly, then Sabjinder Singh @ Sabi, Karnail Singh Bhau and other persons sitting in nearby Dharmshala attracted to the spot. On seeing them, all the seven persons fled away on their motorcycles towards village Mohar Singh Wala. The FIR was registered against the unidentified persons, who tried to kill the complainant by throwing petrol in protest and the decision against Head of Dera Sacha Sauda. The miscreants have broken the glasses of Seva Kendra. The persons present at the spot extinguished the fire immediately and the loss caused to the Seva Kendra was tentatively assessed to Rs.15,000/-.

Learned counsel for the petitioner submitted that the FIR was registered against unidentified persons and the petitioner was implicated solely on the basis of suspicion that he is a follower of Dera Sacha Sauda and has instigated others to cause damage to the public property. No specific role has been attributed to the petitioner. Petitioner was arrested on 27.08.2017. Challan has already been presented.

Statement of aforesaid fact has not been disputed by the learned State counsel.

Vide order dated 15.11.2017 passed in **CRM-M No.35695 of 2017** titled '**Hari Singh @ Hari Chand and another**' and other connected petitions, the Co-ordinate Bench of this Court has granted regular bail to some of the accused persons, who were the members of the mob in Panchkula.

Similarly in **CRM-M No.555 of 2018** titled '**Amolak Singh and others vs. State of Punjab**' decided on 22.01.2018 the co-accused in FIR No.80 dated 25.08.2017 involved in the incident at Mansa and in **CRM-M No.252 of 2018** titled '**Satnam Singh and others vs. State of Haryana**' decided on 18.01.2018 the accused in FIR No.148 dated 29.08.2017 involved in the incident at Jakhal, District Fatehabad have also been granted regular bail by the Co-ordinate Bench of this

Court.

This Court has also granted regular bail to the accused involved in the incident at Tohana in respect of FIR No.320 dated 25.08.2017 vide order of even date passed in **CRM-M No.48765 of 2017** titled '**Rakesh @ Rakesh Kumar @ Bali vs. State of Haryana.**

Taking into consideration the *prima facie* facts and circumstances of the case and without adverting to the merits of the case at this stage, I deem it appropriate to enlarge the petitioner on regular bail, who is in custody since 27.08.2017.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on bail. subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

January 30, 2018

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No