

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-1681 of 2018 (O&M)

Date of Decision: 29.01.2018

Major Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

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

Mr. S.S. Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner seeks the benefit of regular bail in case F.I.R. No.80 dated 25.8.2017 under sections 436, 427, 148, 149 I.P.C and section 4 of Public Property (Prevention of Damages) Act (sections 120-B, 188 I.P.C and section 3(i) & (ii) of Public Property (Prevention of Damages) Act and sections 3, 4 of Explosive Act were added later on), registered at Police Station, Kot Dharmu, District Mansa.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of Baljit Singh in relation to an alleged occurrence dated 25.8.2017. Allegations are that about 17/18 persons arrived on motorcycles armed with *Kirpans* at the petrol pump proclaiming that their Guru of Sirsa had been wrongly convicted. Further allegations are that petrol was poured on a diesel pump machine and was set afire. Damage to the diesel pump machine and other property to the extent of Rs.2 lacs was caused.

Petitioner was arrested on 28.8.2017.

Investigation in the case is complete and even the challan has been presented.

Learned State counsel upon instructions from ASI Ranjit Singh concedes to the fact that there was no allegation against the present petitioner in so far as damage to property was concerned. Allegations against the petitioner are of having incited other co-accused to indulge in arson and damage.

The trial is at the initial stage and would take time to conclude.

In the considered view of this Court, no useful purpose would be served by confining the petitioner in custody.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate concerned.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

29.01.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No