

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

CRM-M-3582-2018 (O&M)

Date of decision:08.02.2018

Jagjiwan Singh @ Jeevan

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. GBS Gill, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.104, dated 25.08.2017, under Sections 436/34 IPC, Sections 3/4 of the Public Property (Prevention of Damage) Act (Sections 153-A/143/124-A/120-B/148/149/109 IPC and Sections 3/4 of Explosive Act were added later on), registered at Police Station Phul, District Bathinda (Sections 34/153-A/124-A IPC were deleted and challan was presented under Sections 436/143/120-B/109/148/149 IPC, Section 3/4 of the Public Property (Prevention of Damage) Act and Sections 3/4 of the Explosive Act No.06/1908).

Counsel for the parties have been heard.

FIR came to be registered on the statement of Sukhwinder Singh S/o Darshan Siungh, who is stated himself to be working as a security guard, Sewa Kender at Village Bhai Roopa, District Bathinda. It was alleged that on 25.08.2017, a number of people had gathered being agitated on account of conviction of Gurmeet Ram Rahim and had caused damage to the articles lying inside the Sewa Kender by putting the same on fire.

Name of the petitioner finds a mention in the FIR. As per prosecution version, recovery effected from the petitioner is of a motorcycle and two petrol bottle bombs.

Be that as it may, it is not the assertion of the complainant that he had seen the present petitioner causing damage to the articles lying inside the Sewa Kender.

Date of arrest of the petitioner is 28.08.2017.

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

Trial is at the very initial stage and would take time to conclude.

Co-accused, Jagjit Singh, Jinder @ Baljinder Singh, Sukhvir Singh @ Vicky, Sunny @ Sandeep Singh and Baljit Singh have been granted the benefit of bail by this Court.

Without making any observations on merit, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of the Trial Court /Duty Magistrate concerned.

Disposed of.

08.02.2018

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |