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CRM-M-41049-2018 (O&M) CRM-M-43758-2018 (O&M)
CRM-M-44122-2018 (O&M) CRM-M-49235-2018 (O&M)

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

CRM-M-41049-2018 (O&M)

Date of Decision:-17.12.2018

Baljeet Singh ... Petitioner

Versus

State of Punjab ... Respondent

2.

CRM-M-43758-2018 (O&M)

Nishan Singh ... Petitioner

Versus

State of Punjab ... Respondent

3.

CRM-M-44122-2018 (O&M)

Narinder Kumar Sharma and another ... Petitioners

Versus

State of Punjab ... Respondent

4.

CRM-M-49235-2018 (O&M)

Shakti Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Varun Veer Chauhan, Advocate for
Ms. Deepshikha Chauhan, Advocate,
for the petitioner in CRM-M-41049-2018.

Mr. G.S. Bhandari, Advocate,
for the petitioner in CRM-M-43758-2018.

Mr. G.B.S. Gill, Advocate,
for the petitioners in CRM-M-44122-2018.

Mr. B.S. Aulakh, Advocate,
for the petitioner in CRM-M-49235-2018.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

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GURVINDER SINGH GILL, J.(Oral)

This order shall dispose of aforesaid four petitions filed on behalf of Baljeet Singh, Nishan Singh, Narinder Kumar Sharma, Randeep Singh @ Neela and Shakti Singh seeking grant of regular bail in respect of a case registered against them vide FIR No.33 dated 7.3.2011 at Police Station City, Moga, District Moga under Sections 283, 353, 186, 427, 323, 436, 148 and 149 of Indian Penal Code, 1860 and Section 3 of Prevention of Damage to Public Property Act, 1984, wherein Section 120-B IPC, Section 4 of Prevention of Damage to Public Property Act, 1984 and Section 25, 27, 29, 54, 59 of Arms Act were added later on.

The allegations, as per the FIR, are that on 7.3.2011, about 200-300 followers of Dera Sacha Sauda, who were armed with ‘sticks’ and sharp edged weapons had blocked traffic on Moga-Kot Kapura bypass road and had set on fire one Pepsu Road Transport Corporation bus and had also damaged other public vehicles passing on that road.

While the FIR was lodged in the year 2011, the present petitioners were arrested in 2018 pursuant to a disclosure statement made by one co-accused while in custody in case FIR No.79 dated 4.11.2015 registered under Section 295-A of Indian Penal Code, 1860 at Police Station Samalsar.

I have heard the learned counsel for the petitioners and also the learned State counsel.

It has been informed that the challan has since been presented in the present case. It has further been informed that 30 persons have been

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cited as prosecution witnesses. It is not disputed that all the petitioners have been behind bars since the last about 6 months.

In view of the aforestated position, wherein I find that the petitioners have been behind bars since the last about 6 months and that the trial in its normal course is not likely to be concluded in immediate future, since as many as 30 prosecution witnesses have been cited, in my opinion, no useful purpose would be served by indefinitely detaining the petitioners behind bars. The petitions, as such, are accepted. The petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, in case the petitioners indulge in any activity akin to the present case, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioners.

This present petitions stand accepted accordingly.

17.12.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No