

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-44688 of 2017 (O&M)

Date of Decision: 12.01.2018

Darshan Ram

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. A.P. Batra, Advocate for the petitioner.

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

TEJINDER SINGH DHINDSA.J (Oral)

CRM-527-2018

Prayer in the instant application is for adding section 188 I.P.C in the main bail petition preferred under section 439 Cr.P.C i.e. CRM-M-44688-2017.

In view of the averments made in the application and as per which it was at the stage of presentation of challan that the investigating agency had added section 188 I.P.C to the other offences, prayer is allowed.

The main petition filed under section 439 Cr.P.C would now be entertained and examined by adding section 188 I.P.C as well.

Application is disposed of.

Main Case

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 read with section 4 of the Prevention of Damages to Public Property Act, 1984 and sections 3 and 4 of Explosive Substance Act, 1908, 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 apprises the Court that the recovery effected from the petitioner is that of a stick.

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, Mansa.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.01.2018

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