

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

**CRM-M No.47993 of 2018
Decided on: 11.12.2018**

Naveen Kumar and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. P.K.S. Phoolka, Advocate
for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.115 dated 14.09.2018, registered under Sections 342/427/148/149/506 of the Indian Penal Code (in short 'IPC') and 3 of the Punjab Prevention of Damage to Public and Private Property Act, 2014 at Police Station Jhunir, District Mansa.

The operative part of the order dated 30.10.2018, vide which interim anticipatory bail has been granted to the petitioners, is reproduced as under:-

“...Counsel for the petitioners has submitted that vide order dated 05.10.2018 passed in CRM-M No.42993 of 2018, while granting interim anticipatory bail to co-accused – Gurdeep Singh, the following order has been passed by this Court:-

“....Learned counsel for the petitioner submits that as per allegations in the FIR, a large

group of persons has gathered at the school premises of GGS Adarsh Senior Secondary School, Sahnewali and held the school staff as hostage. It is further submitted that the main accused Lakha Singh Sidhana was arrested at the spot and was released on regular bail. Learned counsel further submits that even on an earlier occasion, when the complainant was posted as Principal in Govt. GGS Adarsh Senior Secondary School at Boha, District Mansa, a PIL by way of CWP No.1763 of 2013 was filed by inhabitants of the village levelling serious allegations against the complainant/Principal, who was respondent No.5 in the said writ petition.

Learned counsel for the petitioner has further submitted that in fact, there was a silent protest by the inhabitants of the village against working of the complainant and some of the co-accused have already been granted the concession of anticipatory bail by the Addl. Sessions Judge.

Notice of motion for 11.12.2018....”

Counsel for the petitioners has further submitted that the petitioners were also granted interim anticipatory bail by the Additional Sessions Judge and they have joined the investigation, however later on, the Additional Sessions Judge has dismissed their anticipatory bail application.

Counsel for the petitioners has also argued that in the incident nobody was injured and the only evidence, which has come on record, is defacing the Board of the school and no one was medico legally examined.

Notice of motion for 11.12.2018....”

Counsel for the petitioners has submitted that, in pursuance to the order dated 30.10.2018, the petitioners have appeared before the Investigating Officer and have joined the investigation.

Counsel for the State, on instructions from ASI Ganga Ram, has not disputed the aforesaid fact and submits that the petitioners are no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 30.10.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

11.12.2018
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No