

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

**CRM-M-49250-2017
Date of decision:14.2.2018**

Sewak Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Jaswal, Advocate
for the petitioner.

Mr. Harbir Singh Sandhu, AAG, Punjab
for the sole respondent.

MAHABIR SINGH SINDHU, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.66 dated 26.8.2017 under Section 121-A, 286, 436, 109, 120-B and 188 IPC and Section 3 & 4 of Prevention of Damage to Public Property Act, 1984 registered at Police Station Thermal, Bathinda.

It is contended by the petitioner that the petitioner is innocent and no incident has taken place and it was only on the allegation of preparation, the petitioner has been named in the FIR and hence prayer for grant of anticipatory bail has been made.

On the other hand learned State counsel vehemently opposed

the prayer of learned counsel for the petitioner and insisted for custodial interrogation in view of gravity of offences and prayed for dismissal of the petition.

Heard.

After perusal of record it transpires that the petitioner along with other members of the Committee formulated by Dera Sacha Sauda, Sirsa hatched conspiracy for creating riots on account of the decision of case against Chief of Dera Sacha Sauda, Sirsa by CBI Court, Panchkula by convening numerous meetings and some vulnerable material in the shape of a canny containing 10 litres of petrol alongwith 10 empty bottles, cotton sticks alongwith 20 packets of powder of red chilly weighing about 2 kgs., which was collected to cause damage to the movable and immovable property of government and to cause loss of life and property to the public at large and the same was recovered from some of the members of the above said Committee. Consequently, keeping in view the nature and gravity of offences the custodial interrogation of the petitioner is necessary. Hence no ground is made out for grant of concession of pre-arrest bail to the petitioner.

Dismissed.

**(MAHABIR SINGH SINDHU)
JUDGE**

14.2.2018
Gaurav Sorot

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |