

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

CRM-M-50739-2018

Date of decision: December 04, 2018

Dilawar Singh Saroha

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. J.S. Bedi, Senior Advocate with
Mr. Sunil Sihag, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Dilawar Singh, in case FIR No.343 dated 26.08.2017 registered for the offences punishable under Sections 147, 148, 149, 186, 188, 307, 332, 353, 177, 120-B, 121, 121-A, 124-A of the Indian Penal Code, 1860, Section 3 of the Prevention of Damage to Public Property Act, 1984 and Section 25 of Arms Act, 1959 at Police Station Sector 5, Panchkula.

It is a case of the prosecution that violence occurred on 25th August, 2017 in Panchkula by the followers of Baba Gurmeet Ram Rahim of Dera Sachha Sauda, Sirsa. There was loss of huge property and security was also dropped by the mob.

Petitioner is having a degree of Doctorate of Philosophy. He qualified National Eligibility Test for Lectureship (Annexure P-2).

No specific role has been attributed to the petitioner and only allegation against him is that he was a member of the core committee for violence by the Dera Sachha Sauda, Sirsa.

It has also been argued on behalf of the State that seven more cases regarding the same incident dated 25th August, 2017 has been registered against the petitioner. He is in custody since 14th September, 2017. Trial is in progress.

Without expressing any opinion on merits of the case and the fact that conclusion of trial will take considerably long time, no useful purpose would be served by detaining the petitioner behind the bars, therefore, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

December 04, 2018
m. sharma

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