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CRM-1421-2018 in
CRM-M-49822-2017 (O&M)

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

CRM-M-49822-2017 (O&M)

Date of Decision: 17th January, 2018

Sukhdarshan Singh @ Deepu

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. G.B.S. Gill, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CRM-1421-2018

Prayer in this application is for adding Section 120-B of the Indian Penal Code in the head note and prayer clause of the petition in the light of the fact that in the challan, which has been presented in the trial Court, Section 120-B of the Indian Penal Code stands added.

For the reasons mentioned in the application, the same is allowed. Section 120-B of the Indian Penal Code is added in the head note after Section 149 and similarly, in the prayer clause of the petition at running page 6 of the same. Registry to carry out the necessary corrections.

CRM-M-49822-2017

Petitioner has approached this Court for grant of regular bail

CRM-1421-2018 in
CRM-M-49822-2017 (O&M)

by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.22 dated 25.08.2017, registered at Police Station GRP Abohar, under Sections 436, 427, 148, 149 and 120-B of the Indian Penal Code and Section 3/4/5 of the Prevention of Damage to Public Property Act, 1984 and Section 3/4 of Explosive Act.

It is asserted that the petitioner is in custody since 14.09.2017. Counsel for the petitioner contends that the petitioner is not involved in the present case and has been just roped in. No recovery has been effected from the petitioner and no overt act has been attributed to him. Counsel further contends that although the challan has been presented in Court but the trial is likely to take long time. No useful purpose would be served by keeping the petitioner in custody. He, therefore, prays for grant of regular bail.

Counsel for the State, on instructions from HC Surinder Singh, Police Station GRP Abohar, states that the petitioner was involved in the commission of offence, where the public property was damaged and the railway station was put on fire. He contends that even the petrol bombs have been recovered from the spot. However, he could not dispute the fact that no recovery was effected from the petitioner nor has he been attributed any specific active part. He is also not an office bearer of the group or the leader thereof.

In view of the above and keeping in view the fact that the petitioner is in custody since 14.09.2017 and the trial is not likely to

CRM-1421-2018 in
CRM-M-49822-2017 (O&M)

conclude soon, without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

17th January, 2018

Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

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