

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

207

CRM-M No.6213 of 2018

Date of Decision: February 23rd, 2018

Jaswinder Singh

...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. Kuldeep Singh, Senior Deputy Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Custody certificate filed in Court, taken on record.

Petitioner has approached this Court praying for grant of regular bail by filing the present 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 IPC (Section 120-B IPC and Section 3/4/5 of the Prevention of Damage to Public Property Act, 1984 and Section 3/4 of Explosive Act added later on).

It is the contention of learned counsel for the petitioner that the petitioner was arrested on 26.10.2017 in the present case and since then, he is in custody. Challan has been presented and the charge has also been framed. He contends that during the police remand, no recovery has been effected from the petitioner and no specific role has been attributed to him. Counsel states that the similarly placed co-accused of the petitioner has been granted the concession of bail and, therefore, he prays for the same relief.

Counsel for the State, on instructions from ASI Didar Singh,

Police Station G.R.P., Abohar, states that the petitioner is the person,

who had prepared the petrol bombs and supplied to the Dera followers, who had indulged in damage to the private and public property. He states so on the basis of the disclosure statement of the petitioner but very fairly concede that no recovery has been effected from the petitioner. He, therefore, states that the concession of bail be not granted to the petitioner.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner is in custody for 3 months and 25 days and there are 15 prosecution witnesses in the present case and the trial is not likely to conclude soon, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court .

February 23rd, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No