

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

Crl. Misc. No.M-6481 of 2018

Date of Decision:- 23.2.2018

Kaka Singh and others

....Petitioners

vs.

State of Punjab

....Respondent

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr.Aman Dhir, Advocate,
for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

Petitioners seek grant of regular bail in case FIR No.108 dated 25.8.2017 registered at Police Station Sadar Bathinda, under Sections 436, 152, 153-A, 148, 149/120-B of IPC read with Sections 25/27 of the Arms Act, 1959 and Sections 3 and 4 of the Prevention of Damages to Public Property Act, 1984 (Section 307 of IPC and Sections 3 and 4 of Explosive Act, 1908 were added later on).

Learned counsel for the petitioners contends that the petitioners are alleged to have caused rioting and arson on the directions of the main accused, namely, Gurdev Singh, who has been granted concession of regular bail by this Court vide order dated 30.1.2018. Thus, the submission is that once the main accused has been released on regular bail, the petitioners would also be entitled to grant of same concession.

On the contrary, learned State counsel submits that petitioners No.1, 7, 8 and 10 were arrested on the spot and recovery of fire-arms and petrol bombs was effected from them and, therefore, they cannot claim parity with aforementioned Gurdev Singh. However, he does not dispute the fact that the investigation is complete and the challan stands presented.

Keeping in view the over-all facts and circumstances of the case, especially that the investigation is complete, I deem it just and appropriate to release the petitioners on regular bail as the trial of the case is likely to take some time and no useful purpose would be served by keeping them in custody indefinitely.

Petition is allowed. The petitioners are directed to be released on bail on their furnishing bail and surety bonds to the satisfaction of the trial Court concerned at Bathinda.

February 23, 2018
poonam

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned **Yes**

Whether reportable **No**