

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.6538 of 2018
Date of Decision-28.03.2018

Ved Parkash @ Chand and another ... Petitioners
Versus
State of Punjab ... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.S. Sidhu, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl., AG, Punjab.

RAJ MOHAN SINGH, J.

[1]. Petitioners seek grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.91 dated 25.08.2017 registered under Sections 186, 353, 436, 336, 148, 149, 427, 506, 34 IPC, Sections 25, 27, 54, 59 of the Arms Act and Sections 3, 4, 5 of the Prevention of Damages to Public Property Act (added later on) at Police Station GRP Bathinda, District Bathinda.

[2]. FIR was registered on the basis of statement of Baldev Singh, Station Master, Railway Station Balluana, Head Quarter Malout. As per allegations in the FIR, on 25.08.2017, the complainant was on duty from 3 PM to 10 PM along with one Suresh Kumar. At about 3:15 PM, from the front side of Railway Station, 25-30 unknown persons duly armed with kapas, petrol bottles and 1-2 persons armed with rifles came towards the complainant in the Station Master room after crossing railway

line. They were firing in the air. On reaching to the complainant, they threatened the complainant to leave the room, otherwise they will cause harm to both of them. Under threat, the complainant came out of the room. Thereafter, one person sprinkled the petrol and another person set the station master room on fire. Other persons started damaging the articles lying in the battery room and booking office of Station Master with their respective weapons. Railway record was burnt. Computer, telephone wires, telephone exchange set, signal indicator and diagram were damaged. On raising alarm, all the miscreants ran away from the spot.

[3]. Learned counsel for the petitioners submitted that the petitioners were not named in the FIR, nor any overt-act has been attributed to them. The alleged occurrence took place after conviction of Head of Dera Sacha Sauda by the CBI Court. Challan has already been presented. Co-accused have already been granted regular bail by the High Court.

[4]. Learned State Counsel however opposed the prayer on the ground that public property was damaged and railway station was set at fire. Petitioners were nominated as accused during course of investigation.

[5]. Petitioners were not named in the FIR, nor they were arrested from the spot. Co-accused have already been granted regular bail by the High Court vide order dated 27.02.2018

passed in CRM-M No.6817 of 2018 and CRM-M No.6840 of 2018. Out of 13 accused persons, 4 accused have been granted bail by the trial Court and 9 accused have been granted bail by the High Court. Petitioners were brought on production warrants in an FIR which was registered in Bathinda. Challan has already been presented. Petitioners are in custody since 25.08.2017.

[6]. Looking to the attending facts and circumstances of case and without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioners on regular bail subject to their furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

[7]. Nothing expressed hereinabove would be construed to be an expression of any opinion on the merits of the case.

(RAJ MOHAN SINGH)
JUDGE

28.03.2018

Prince

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No