

CRM-M-5866 of 2019

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

CRM-M-5866 of 2019
Date of Decision: 25.02.2019

Gurdaan @ Guru and another

...Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. P.K. Ganga, Advocate, for the petitioners.
Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.147 dated 26.08.2017 registered under Sections 124-A, 148, 149, 186, 188, 307, 332, 333, 353, 395, 427, 436 IPC, Sections 3 & 4 of the Prevention of Damage to the Public Property Act, 1984 and subsequently added Section 25 of the Arms Act, 1959 at Police Station Sadar Sirsa, District Sirsa.

According to the prosecution on 25.08.2017, petitioners along with other co-accused consisting 200/250 men and women, after conviction of Dera Chief, started damaging the power house and set on fire vehicle bearing registration No.HR-57-7328 and other vehicles parked in the power house.

Learned counsel for the petitioners *inter alia* contends that petitioners are not named in the aforesaid FIR. They have falsely been

CRM-M-5866 of 2019

implicated in this case on the basis of disclosure statement of co-accused Shamsher Singh, which is a very weak type of evidence. Petitioners are in custody since 10.11.2018. Conclusion of trial may take a sufficient long time. Co-accused of the petitioner, namely, Mohit Kumar, Surjeet Singh and Meena Bansal have been enlarged on regular bail by this Court vide orders dated 18.01.2018, 30.01.2018 and 13.03.2018 passed in CRM-M-232 of 2018, CRM-M-2487 of 2018 and CRM-M-49256 of 2017, respectively. No useful purpose would be served by detaining the petitioners in jail any more. Treating the case of the petitioners on the same parity as that of their aforesaid co-accused they may also be granted regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioners.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, treating the case of the petitioners on the same parity as that of their aforesaid co-accused, the petition is allowed. Consequently, petitioners are ordered to be released on bail during pendency of trial, on their furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

February 25, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No