

CRM-M-6702 of 2019

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

CRM-M-6702 of 2019
Date of Decision: 02.04.2019

Ramasra alias Bittu

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Aditya Sanghi, Advocate, for the petitioner.
Mr. Raj Kumar Makkar, Sr. DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this 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.696 dated 26.08.2017 registered under Sections 124-A, 147, 148, 149, 188, 307, 435, 436, 109, 201, 332, 353, 186, 120-B IPC, Section 25 of the Arms Act, 1959 and Sections 3/4 of the Public Property (Prevention of Damage) Act, 1985, at Police Station City Sirsa, District Sirsa, Haryana.

According to the prosecution, on 26.8.2017 at about 4 PM after the conviction of Gurmeet Ram Raheem, Head of Dera Sacha Sauda, his followers raised anti nation slogans and trespassed into premises of Milk Plant, by breaking its gate. There after setting it on fire, the vehicles parked inside the Milk Plant were also set ablaze. The police officials were assaulted, their wireless sets were damaged and official weapons were snatched.

Learned counsel for the petitioner *inter alia* contends that

CRM-M-6702 of 2019

petitioner has falsely been implicated in the aforesaid FIR. Nothing has to be recovered from him. Name of the petitioner appeared in the disclosure statement of a co-accused, which is a very weak type of evidence. Petitioner is in custody since 24.10.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more. Co-accused of the petitioner namely Vineet Kumar and Meena Bansal have been granted regular bail by this Court vide order dated 06.02.2018 passed in CRM-M Nos.49196 and 49257 of 2017. Therefore, considering the case of the petitioner on the same parity, he may also be granted concession of regular bail.

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

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner Ramasra alias Bittu is ordered to be released on bail pending trial, treating his case on the same parity as that of his aforesaid co-accused, on his furnishing personal and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sirsa, subject to the following terms and conditions: -

- i) that the petitioner would deposit a sum of ₹1,00,000/- in the Court as partial cost of destruction of public property.
- ii) that the petitioner shall appear in the Court on each and every date of hearing;
- iii) that the petitioner shall not, try to tamper with the

CRM-M-6702 of 2019

prosecution evidence;

- iv) that the petitioner shall not leave India without the prior permission of the Court and shall surrender his passport, if, he has got one, otherwise to furnish affidavit in that regard.

The personal and surety bonds may be accepted on fulfillment of the conditions aforesaid only. In case, the petitioner violates, any term and condition aforementioned, on which bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

April 02, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No