

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

CRM-M No. 9240 of 2019
Date of decision : April 02, 2019

Gurpavittar Singh @ Pavittar Singh

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Bipan Ghai, Sr. Advocate
with Mr. Parag Talwar, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG Punjab

Mr. Gurpreet Singh Sandhu, Advocate
for the complainant.

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.98, dated 3.7.2016, registered under Sections 295A, 120-B of the IPC, at Police Station Dialpura, District Bathinda.

Allegations are that in conspiracy with other persons, the petitioner threw certain pages of a holy book in a bid to escalate religious tensions and outrage the religious feelings of a particular community.

Counsel for the petitioner has argued that the case is triable by the Magistrate and the petitioner has now been in custody for about four and half months and the other accused who were also charged with similar offences have been released on bail after about the same period of custody.

Learned DAG Punjab and counsel for the complainant have vehemently argued that the allegations are very serious in nature and but for the timely action by the authorities, the acts of the petitioner and his co-accused could have resulted in very grave consequences. They have, however, accepted the the fact that the petitioner has been in custody for four and half months and the persons accused of similar offences have been released on bail after the same period of custody.

In these circumstances, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

April 02, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No