

CRM-M-9219 of 2019

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

CRM-M-9219 of 2019
Date of Decision: 14.03.2019

Jagdeep Singh @ Jaggi

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Bijender Dhankhar, Advocate, for the petitioner.
Mr. Ashok Muthreja, 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.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 Public Property Act, 1984 and Section 25 of the Arms Act, at Police Station Sadar Sirsa, District Sirsa.

According to the prosecution, on 25.08.2017, at about 5 p.m., a mob of 200/250 people including women armed with Lathis and Dandas raising anti-nation slogans trespassed into the power house and set on fire the same. A private vehicle bearing registration no. HR57-7328 which was provided to the police and other vehicles parked in the power house were also set on fire. The mob had attacked the police officials and the officials of the electricity department. EASI Jagga Singh, who was having Carbine, had sustained injuries on his head and some one had snatched the carbine

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alongwith magazine having live cartridges from Jagga Singh. The police officials in their defence fired shots in the air. The unknown people of the mob obstructed the officials from discharging their duties, attempted to kill them, damaged the properties of Government by setting the same on fire and snatched the carbine alongwith magazine having live cartridges from the police officials.

Learned counsel for the petitioner *inter alia* contends that 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 co-accused Mohit, which is a very weak type of evidence. Petitioner is in custody since 24.11.2018. 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 Surjeet Singh, Meena Bansal, and Mohit Kumar have been granted regular bail by this Court vide orders dated 30.01.2018, 13.03.2018 and 18.01.2018 passed in CRM-M Nos.2487 of 2018, 49256 of 2017 and 232 of 2018, respectively. 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 Jagdeep Singh @ Jaggi 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

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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 ₹50,000/- in the Court as token 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 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.

March 14, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No