

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

**CRM-M No.16164 of 2019 (O&M)
Date of decision : 12.04.2019**

Anil Kumar @ Anil Kumar Bagha

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. S.S.Rangi, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.141 dated 20.10.2018 registered under Sections 153-A and 295 IPC at Police Station Bullowal, District Hoshiarpur.

As per the allegation the petitioner along with other persons gathered in front of Shri Guru Ravidass Gurudwara, Sham Churasi and burnt an effigy of Bhavishan Ji.

The precise contention of learned counsel for the petitioner is that they had no intention to hurt anybody's religious feelings but the fact of the matter is that Bhavishan Ji is also seen as a symbol of treachery and has been rather immortalized in the hindi phrase '*Ghar ka bhedi Lanka dhaye*'

Learned Deputy Advocate General on instructions from ASI Rajvinder Singh has argued that Bhavishan Ji was a figure of respect because he helped in war of good against evil. The fact of the matter is that Bhavishan Ji can be viewed from two angles and both of them can not be taken to be incorrect.

In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the Investigating Officer on 18.04.2019 and on any other date as and when his presence is required.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

12.04.2019
Pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No