

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

1. CRM-M-17340-2019

Deepak Kumar

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-17350-2019

Jatinderveer Arora alias Jimmi

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 25.04.2019

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- ASI Nachhatar Singh.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions as they arise out of the same FIR.

These petitions have been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to petitioners Deepak Kumar and Jatinderveer Arora alias Jimmi in case FIR No. 161 dated 20.10.2015, registered under Sections 295-A and 120-B of the IPC at Police Station Dialpura, District Bathinda.

As per the allegations in the FIR registered on 20.10.2015, complainant Iqbal Singh stated that he is the President of Local Gurudwara

Committee of the village and at about 5.30 AM, the Granthi of the Gurudwara, namely Roop Singh, informed him that the pages of Guru Granth Sahib were scattered on the *Phirni* (link road of the village) and on the platform of 'Bohar'. Thereafter, complainant along with one Satnam Singh went to the spot and collected the pages of holy Granth. The FIR was registered with the allegations that the incident has deeply hurt the sentiments of the followers of Guru Granth Sahib.

It is submitted in the petition, filed by petitioner Deepak Kumar, that initially nobody was named in the FIR and the petitioner was nominated after a period of three years of the incident on the basis of a supplementary statement made by the complainant without there being any explanation of delay.

It is further submitted in the petition that petitioner is in judicial custody since 03.11.2018; the investigation is complete and challan stands presented and the conclusion of the trial is likely to take a long time.

ASI Nachhatar Singh, who is present in Court, has not disputed the fact that investigation is complete and the petitioner is in judicial custody since 03.11.2018, however, submitted that one more case of the similar nature is pending against the petitioners in the same police station i.e. FIR No. 89 dated 26.06.2016, registered under Sections 295-A and 120-B of the IPC.

In the petition, filed by petitioner Jatinderveer Arora alias Jimmi, it is additionally submitted that the petitioner is in judicial custody since 08.11.2019.

Without commenting upon the merits of the case, considering the facts that the petitioners are in judicial custody since 03.11.2018 and

08.11.2018, respectively and they are no more required for further investigation and also in view of the fact that conclusion of the trial is likely to take some time, the instant petitions are allowed. Petitioners Deepak Kumar and Jatinderveer Arora @ Jimmi are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate concerned.

A photocopy of this order be placed on the file of other connected case.

April 25, 2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No