

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-19508-2018

Date of Decision: 07.05.2019

Amrik Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. RS Rana, Advocate for the petitioner.

Mr. RK 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 case FIR No. 333 dated 25.08.2017 registered under Sections 148, 149, 186, 188, 307, 332, 353, 452, 506, 121, 121-A, 141, 511 and 120-B IPC; Section 3 of PDPP Act and Section 3/4 of the Explosive Substances Act, 1908 at Police Station Sector-5, Panchkula.

According to the prosecution, the petitioner along with his co-accused, hatched a conspiracy and instigated followers of Baba Gurmeet Ram Rahim Singh, to spread violence.

Learned counsel *inter alia* contends that petitioner was not named in the FIR. He has falsely been implicated in the instant case, on the basis of disclosure statement of co-accused-Pawan Kumar, which is a very weak type of evidence. In the remand paper of said Pawan Kumar, it was alleged by the police that petitioner was given duty to deliver food to

the dera followers, but no specific role has been attributed to him. The petitioner is owner of ambulance, which is used for social service, but the same was damaged during agitation by some persons. Petitioner was arrested on 28.01.2019, with the aid of Section 120-B IPC. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail. Nothing has to be recovered from him.

On the other hand, learned State counsel, vehemently opposed the submissions of learned counsel for the petitioner.

Having given thoughtful consideration to the rival submission and the fact that trial may take a long time, but without commenting on merits of the case, petitioner is ordered to be released on bail pending trial on his furnishing personal and surety bonds to the satisfaction of the Chief Judicial magistrate/Duty Magistrate, Panchkula, subject to the following terms and conditions:-

- i) that a sum of ₹ 5,00,000/- shall be deposited by the petitioner in the State Treasure to make good the loss caused to the 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, otherwise furnish his affidavit

in this 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.

For production of treasury challan qua deposit of aforesaid amount, to come up on 01.07.2019.

May 07, 2019
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(RAMENDRA JAIN)
JUDGE

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