

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21639-2019

Date of Decision: 27.05.2019

Chamkaur Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. RS Rai, Senior Advocate with
Mr. KDS Hooda, 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. 345 dated 27.08.2017 registered under Sections 145, 146, 150, 151, 152, 153, 121, 121A, 216 and 120-B IPC 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-Surinder Dhiman, which is a very weak type of evidence. Petitioner was arrested on 13.09.2017 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. More so, co-accused of the petitioner, have already been enlarged on bail by this Court, vide order dated 12.04.2019 (Annexure P-4) passed in CRM-M Nos. 29961, 28075, 46563, 31411, 33361, 31127, 32938 and 34467-2018. Thus, treating the case of the petitioner on the same parity, he may also be enlarged on bail.

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

Having given thoughtful consideration to the rival submissions 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 8th July, 2019.

May 27, 2019
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(RAMENDRA JAIN)
JUDGE

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