

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23487-2019

Date of decision: 30.05.2019

Dimple Rani

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.115 dated 14.09.2018 under Sections 342, 427, 148, 149, 506 IPC and Section 3 of Punjab Prevention of Damage of Public and Private Property Act, 2014, registered at Police Station Jhunir, District Mansa.

While granting interim bail to the petitioner, following order was passed by this Court on 22.05.2019: -

“Learned counsel for the petitioner relies upon the order dated 01.11.2018 passed in CRM-M-48624-2018, vide which co-accused Anrej Singh and others have been granted the concession of interim anticipatory bail. The operative part of the order reads as under: -

“Counsel for the petitioners has submitted that while granting interim anticipatory bail to the co-accused of the petitioners namely Sunil Kumar @ Suneel Kumar, Naveen Kumar and Jaswinder Sharma vide order dated 30.10.2018 passed in CRM-M Nos.47939 and 47993 of 2018, the following order has

been passed by this Court:-

“....Counsel for the petitioners has submitted that vide order dated 05.10.2018 passed in CRM-M No.42993 of 2018, while granting interim anticipatory bail to co-accused – Gurdeep Singh, the following order has been passed by this Court:-

“....Learned counsel for the petitioner submits that as per allegations in the FIR, a large group of persons has gathered at the school premises of GGS Adarsh Senior Secondary School, Sahnewali and held the school staff as hostage. It is further submitted that the main accused Lakha Singh Sidhana was arrested at the spot and was released on regular bail. Learned counsel further submits that even on an earlier occasion, when the complainant was posted as Principal in Govt. GGS Adarsh Senior Secondary School at Boha, District Mansa, a PIL by way of CWP No.1763 of 2013 was filed by inhabitants of the village levelling serious allegations against the complainant/Principal, who was respondent No.5 in the said writ petition.

Learned counsel for the petitioner has further submitted that in fact, there was a silent protest by the inhabitants of the village against working of the complainant and some of the co-accused have already been granted the concession of anticipatory bail by the Addl. Sessions Judge.

Notice of motion for 11.12.2018.... ”

Counsel for the petitioners has further submitted that the petitioners were also granted interim anticipatory bail by the Additional Sessions Judge and they have joined the investigation, however later on, the Additional Sessions Judge has dismissed their anticipatory bail application.

Counsel for the petitioners has also argued that in the

incident nobody was injured and the only evidence, which has come on record, is defacing the Board of the school and no one was medico legally examined.

Notice of motion for 11.12.2018....

Counsel for the petitioners has further submitted that the main-accused i.e. Lakha Singh Sadhana, Satinder Satti and Kuldeep Singh, were arrested and they have already been released on regular bail by the Additional Sessions Judge and the allegations against the petitioners are at par with the co-accused, who have already been granted the concession of interim anticipatory bail.”

Learned counsel submits that later on, the aforesaid order was made absolute by this Court vide order dated 11.12.2018. It is further submitted that similarly situated co-accused have already been granted the concession of anticipatory bail and case of the petitioner is on similar footings as of co-accused...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from HS Jaspreet Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 22.05.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

**[ARVIND SINGH SANGWAN]
JUDGE**

30.05.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No