

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision:31.05.2019

106+108

CRM-M-25592-2019

Abhijeet @ Bablu

....petitioner

Versus

State of Haryana

.....respondent

CRM-M-25707-2019

Abhijeet @ Bablu

....petitioner

Versus

State of Haryana

.....respondent

CORAM: HON'BLE MR.JUSTICE RAMENDRA JAIN

Present: Mr.Aditya Sanghi, Advocate
for the petitioner

RAMENDRA JAIN, J. (ORAL):

This order shall dispose of two petitions bearing CRM-M-25592-2019 and CRM-M-25707-2019.

Prayer in these petitions is for grant of anticipatory bail to the petitioner in FIR No.73 dated 26.08.2017, under Sections 148/149/188/332/353/436/506/511/120-B IPC and Section 25 of Arms Act, 1959, registered at Police Station MDC, Panchkula, Haryana and FIR No.345 dated 27.08.2017, under Sections 120-B/121-A, 145/150/151/152/153/146/121/216 IPC, Police Station Sector 5, Panchkula, Haryana (in CRM-M-25707-2019).

According to the prosecution, on 26.08.2017, the self styled

Saint namely Gurmit Ram Rahim Singh was convicted by the CBI Court at Panchkula under Section 302 IPC. Consequently, his followers in huge numbers armed with deadly weapons like stones, sticks, plastic, rods and inflammable items i.e. petrol and diesel containers in order to disturb law and order caused damage to the public property in order to illegal escape of their said Saint from the police custody.

Learned counsel contends that on that very day, three FIRs were registered against the petitioner at Sirsa and two at Panchkula bearing FIR No.73 dated 26.08.2017, under Sections 148/ 149/ 188/ 332/ 353/ 436/ 506/511/120-B IPC and Section 25 of Arms Act at Police Station MDC, Panchkula, Haryana and the other FIR No.345 dated 27.08.2017, under Sections 120-B/121-A, 145/ 150/ 151/ 152/ 153/ 146/ 121/216 IPC, registered at Police Station Sector 5, Panchkula, Haryana (in CRM-M-25707-2019). Petitioner could not have been present at both the places i.e.Panchkula and Sirsa at one point of time, which are distantly situated from each other. The petitioner has been falsely implicated in the aforesaid FIR on the basis of disclosure statement of co-accused which is a very weak type of evidence. The petitioner is ready to join the investigation. Several co-accused of the petitioner have already been granted the concession of anticipatory bail. Therefore, treating the case of the petitioner on same parity, he may also be granted anticipatory bail.

Having given thoughtful consideration to the submissions made by learned counsel for the petitioner and going through the file, this Court is not inclined to grant anticipatory bail to the petitioner as he is very much required for custodial interrogation in view of the fact that he is main whistle blower, being trustee of Dera Sacha Sauda run by the said self styled

saint and Vice Chairman of the Managing Committee of said Dera. He is main person, who created ruckus in the entire State of Haryana and neighbouring State of Punjab. He is the mastermind being close associate of said so called self styled saint. The petitioner hatched a pre-planned conspiracy. For that reason the followers of the said saint caused huge damage to the public property and disturb peace, law and order to manage illegal escape of his co-accused Gurmit Ram Rahim Singh from police custody, by instigating the innocent blind followers of Gurmit Ram Rahim Singh.

The case of the petitioner cannot be treated at par with other co-accused, who have been enlarged on bail by this Court as they were innocent followers of the said saint and were exploited by the petitioner.

No ground is made out.

Both the petitions stand dismissed.

(RAMENDRA JAIN)
JUDGE

31.05.2019
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