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

**CRM-M-29288-2019
Date of decision-05.12.2019**

Joginder

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.S.Mor, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Joginder has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.197 dated 25.08.2017 registered under Sections 148, 186, 188, 307, 332, 353, 436 and 506 read with Section 149 of Indian Penal Code, 1860 (Sections 153-A, 120-B and 124-A IPC and Section 25 of Arms Act, 1859 added later on) and Sections 3 and 4 of Prevention to Damage to Public Property Act, 1984, at Police Station Cheeka, District Kaithal. The petitioner is in custody since his arrest on 27.03.2019.

The FIR was registered after the violence which took place in the State of Haryana after conviction of Baba Gurmit Ram Rahim wherein allegations were regarding rioting, robbery and damage to the public property.

Learned counsel for the petitioner contends that the petitioner

has been falsely implicated in the present case as he is not named in the FIR. He submits that the trial of the case will take considerable time as out of total 42 prosecution witnesses only five witnesses have been examined so far. He further invites the attention of the Court to the orders passed by this Court (Annexure P-2) in respect of co-accused who have already been granted the concession of regular bail. He further contends that the petitioner is in custody since 27.03.2019, therefore, further custody of the petitioner may not be justified.

On the other hand, learned State counsel assisted by ASI Virender opposed the prayer. However, it is not disputed that the co-accused of the petitioner have already been extended the concession of regular bail.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time as prosecution is yet to examine its witnesses, therefore, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

05.12.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No