

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

**CRM-M-44641-2019
Date of decision-28.11.2019**

Mahant Yog Muni

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.S.Brar, Advocate for the petitioner.
Mr. Ramdeep Partap Singh, DAG, Punjab.
Mr. Vaibhav Narang, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner-Mahant Yog Muni has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.95 dated 29.08.2016 registered under Sections 302 and 506 read with Section 34 of Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act at Police Station Lopoke, District Amritsar Rural. The petitioner is in custody since his arrest on 27.04.2019.

Learned counsel for the petitioner contends that the alleged occurrence took place in November 2014 and during the inquest proceedings, it was stated that the victim, namely, Prem Muni had committed suicide. He submits that the FIR was registered belatedly on 29.08.2016 on the basis of the statement given by Mahant Triveni Dass. He submits that after investigation by SIT, a cancellation report was submitted, however, the said report was rejected and trial proceeded. Learned counsel has argued that during investigation, the petitioner was associated in

investigation in the year 2017. However, subsequently, in April 2019, he was arrested by SIT. It is further contended that co-accused of the petitioner, namely, Mahant Dharam Dass, has already been granted concession of pre arrest bail vide order dated 03.10.2019 (Annexure P-25).

On the other hand, learned State counsel assisted by ASI Jatinder Singh opposed the prayer of the petitioner. However, it is not disputed that after completion of investigation, the cancellation report was submitted and the Court below proceeded to take cognizance and proceeded with the trial. It is also not disputed that co-accused of the petitioner has been granted the concession of pre arrest bail.

Learned counsel for the complainant is unable to distinguish the case of the petitioner with co-accused who has been granted the concession of pre arrest bail.

After hearing learned counsel for the parties, this Court finds that the investigation of the case is complete, therefore, no useful purpose would be served by keeping the petitioner behind the bars. 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

28.11.2019

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