

211

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

**CRM-M No.27384 of 2019
Date of Decision: 27.01.2020**

**GHANAIYA LAL
Vs**

.....Petitioner

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.14 dated 10.06.2018, registered under Sections 420/364-A/382/386/387/212/216/216-A/120-B IPC 1860 and 42/52-A Prisons Act 1894, Sections 10, 11 and 13 of Unlawful Activities Prevention Act 1967, Section 25 of Arms Act 1894 added later on, at Police Station SSOC, Amritsar.

Learned counsel for the petitioner contends that the petitioner was in custody when he was involved in the present case. As per FIR, the petitioner along with others while in custody were using mobile phones and internet through social media. The activities were termed to be unlawful activities. In case of Taranjot @ Tanna (co-accused), this Court in CRM-M No.4544 of 2019 has granted bail to him vide order dated

01.03.2019 by observing that the possession of mobile phone inside the jail is not an offence of the nature which would attract the culpability of present type. The jail officials have derelicted in their duties in permitting such an inflow of these articles in jail premises without there being any proper check and balances. Investigation has already been completed.

Learned State counsel on instructions from ASI Gurmail Singh states that the challan has already been presented. There is no recovery effected from the petitioner.

Taking into consideration the aforesaid facts, I deem it appropriate to treat the present case at par with Taranjot @ Tanna who has already been granted regular bail on 01.03.2019.

In view of above, without meaning anything on merits of the case, petitioner is ordered to be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on merits of the case.

(RAJ MOHAN SINGH)
JUDGE

27.01.2020
sangeeta

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No