

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRM-M No.30849 of 2020

Date of Decision: October 09, 2020

Kaptan Singh and another

.....Petitioners

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR JUSTICE SANT PARKASH

Present: Mr. Vaibhav Narang, Advocate for the petitioners.

Mr. Parveen Kumar Aggarwal, DAG, Haryana

SANT PARKASH, J. (Oral)

(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)

The present petition has been filed under Section 439 Cr. P.C. for grant of regular bail to the petitioners namely Kaptan Singh and Sahil Sharma in case FIR No.433 dated 26.08.2017, under Sections 124-A, 148, 149, 436, 201 IPC 1860 ; Sections 3 and 4 of Prevention of Damage to Public Property Act 1984 and Sections 3, 4 and 6 of Explosive Substances Act, 1908 (Sections 506, 120-B and 188 IPC added later on), registered at Police Station Shahabad, District Kurukshetra.

Briefly stated the facts of the case as per prosecution story are that the petitioners along with their co-accused set Telephone Exchange Nalvi on fire with petrol on 25.8.2017 at about 5.20 P.M. with a purpose to spread unrest and fear in the general public causing damage to the tune of Rs.1,91,000/-, that the petitioners along with others had constituted unlawful assembly which had caused damage to the public property to show resentment against conviction of

Head of Dera Sacha Sauda. They were arrested in this case on 17.08.2020 and after completion of investigation, challan had been filed against them.

Learned counsel for the petitioners has contended that the co-accused of the petitioners namely Mohan Lal and Sanjeev Kumar have already been granted the concession of regular bail by this Court vide order dated 11.09.2020 passed in **CRM-M No.25697 of 2020**. Further argued that allegations against the petitioners are similar to that of above co-accused and thus, treating the case on similar footing, they be also released on bail.

The above factual position has been duly acknowledged by learned State counsel.

Heard, learned counsel for the parties and perused the paper-book.

Concededly, the petitioners are in custody since 17.08.2020 and co-accused namely, Mohan Lal and Sanjeev Kumar have already been granted the concession of regular bail by this Court vide order dated 11.09.2020. Trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioners behind the bars any more.

Without commenting on the merits of the case and keeping in view the aforesaid facts it is considered appropriate to release the petitioners namely, Kaptan Singh and Sahil Sharma on bail pending trial subject to their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate

Petition stands allowed.

(**SANT PARKASH**)
JUDGE

October 09, 2020

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Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No