

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I)

CRM-M-49559-2019 (O&M)

Date of Decision:- 27.1.2020

Chintu Hans

... Petitioner

Versus

State of Punjab

... Respondent

(II)

CRM-M-54784-2019 (O&M)

Rahul Adia

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. R.P.Dhir, Advocate,
for the petitioner in **CRM-M-49559-2019**.

Mr. A.P.Kaushal, Advocate,
for the petitioner in **CRM-M-54784-2019**.

Mr. Saurav Khurana, DAG, Punjab.

GURVINDER SINGH GILL, J.

1. This order shall dispose of the above mentioned two petitions wherein petitioner Chintu Hans and Rahul Adia, have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.142, dated 11.10.2014,

registered at Police Station City, District Hoshiarpur, under Sections 353, 186, 283, 341, 427, 149 IPC and Section 3(2) of Prevention of Damage to Public Property Act, 1984.

2. The case of the prosecution, in nutshell, is that on 11.10.2014 when a police party headed by Inspector/SHO Amar Nath was present in the area of Shimla Pahari Chowk, Hoshiarpur, then a telephonic information was received that about 30/40 persons including Chintu Hans, Rahul Adia, Joni, Mohit D Singh, Boni, Sunny, Jetri @ Kala @ Rakesh and some unknown persons had assembled in front of the police station and were indulging in hooliganism and were disrupting the traffic. It is further alleged that they had entered into the police station and were throwing bricks at the Government and public property and also on private vehicles and were raising slogans against the Government and the administration and were grappling with officials and obstructing them in performing the duties.
3. Learned counsel for the petitioners have submitted that they have falsely been implicated in the present case and that the falsity of the case of the prosecution would be evident from the fact that although more than 5 years have elapsed ever since lodging of the FIR, but no convincing evidence has been collected by the police till date.
4. Opposing the petition(s), learned State counsel has submitted that since the petitioners are specifically named in the FIR, no case for grant of anticipatory bail is made out. It has however, been informed that pursuant to interim directions issued by this Court, petitioner-Chintu Hans is stated to have joined investigation and petitioner-

Rahul Adia is stated to have surrendered before the trial Court and has been granted interim bail.

5. I have considered rival submissions addressed before this Court. Keeping in view the facts and circumstances of the case especially that it is a case where the FIR was lodged way back in the year 2014 and that the petitioners have already joined investigation, custodial interrogation of the petitioners are not warranted. The petitions, as such are accepted. Interim directions issued vide order dated 29.11.2019 (in CRM-M-49559-2019) are made absolute subject to the condition that the petitioners shall appear before the trial Court regularly and to abide by any such condition as imposed by the trial Court for ensuring their appearance regularly in the trial Court.

January 27, 2020

mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No