

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-44038-2020 (O&M)****Date of Decision: 08.01.2021**

Gaurav

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Baldev Singh, Advocate, for the petitioner.

Mr. Rajat Gautam, DAG, Haryana,
assisted by ASI Balbir Singh.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.133 dated 27.07.2020, at Police Station Babain, District Kurukshetra, under Sections 332, 353, 436, 506 IPC.
2. The FIR was lodged at the instance of Mada Ram, Sweeper-cum-Chowkidar in Berthala High School. It is alleged that on 25.07.2020 at about 11 pm., the petitioner Gaurav came to the gate of the school and asked the complainant to open the same as he wanted to burn the record of the school and also the articles lying therein. Upon refusal of the complainant to do so, the petitioner is alleged to have forcibly entered the school by scaling the wall and is alleged to have given beatings to the complainant and he thereafter set ablaze the school. When the complainant raised alarm, he was rescued by Sandeep and by his grandson Jitender

Kumar. It is further alleged that when the complainant was shifted to hospital, Gaurav set the goods lying in school on fire, but the fire was extinguished by Jitender.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that no damage whatsoever was caused to the school. It has further been submitted that in fact it is a case where a minor altercation had taken place between the complainant and the petitioner, which would also be evident from the affidavit (Annexure P-2) furnished by the complainant.
4. Learned State counsel while opposing the petition has submitted that no damage was caused to the school record. He has, however, informed that the petitioner as on date has been behind bars since the last about 5 months and that challan already stands presented.
5. Having regard to the aforestated factual position and the fact that the petitioner has been behind bars since the last 5 months and that challan already stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

08.01.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**