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

CRM-M No.12196 of 2022 (O&M)

Date of decision: 07.04.2022

Monu Singh and others

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kshitij Sharma, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

Ms. Mehak Sawhney, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.564 dated 29.12.2021, for offence punishable under Sections 427, 436, 34 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Sadar Rohtak, District Rohtak.

Counsel for the petitioners has submitted that as per the allegations in the FIR, registered at the instance of Prem Singh, it is stated that he owned 04 shops at the bus-stand of village Ghuskhani and has rented out 02 shops. On the intervening night of 28/29.12.2021, Monu and Sonu sons of Rambir along with one Shilak Ram have broken open the shutter of 03 shops and have set on fire certain materials such as gunny bags, manure, seeds and other products. It is further submitted that now the complainant, on verification, has given

an affidavit that the fire was caused due to unknown reason and the petitioners were, in fact, trying to douse the fire. Counsel for the petitioners has also submitted that challan stands presented and the petitioners are not involved in any other case.

Counsel for the State assisted by counsel for the complainant and on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioners are in custody for the last 02 months and 26 days; the petitioners are not involved in any other case; the custodial interrogation of the petitioners is not required and the conclusion of the trial will take some time, this petition is allowed and the petitioners are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

07.04.2022
yakub

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