

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

CRM-M-28307-2022
Date of Decision:-11.07.2022

AJEET SINGH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Nipun Vashist, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.95 dated 30.3.2022 registered under Sections 148, 149, 307, 436, 427, 120-B IPC, at Police Station Sector-7, IMT Manesar, District Gurugram.

The counsel for the petitioner contends that the alleged occurrence took place on 29.3.2022 whereas the FIR was registered on 30.3.2022. The counsel for petitioner further contends that the petitioner was falsely implicated in the present case and actually he was not there at the spot when the bus in question was set ablaze by 20/30 persons, who were present at the spot. The counsel for the petitioner further contends that

admittedly no one sustained injuries at the time of the alleged occurrence. The counsel for the petitioner further contends that on completion of investigation challan has been presented by the police against the accused persons and it will take time for the trial to complete. The counsel for the petitioner further contends that co-accused Rinky against whom there are allegations that she incited the mob to burn the bus, has already been granted anticipatory bail by the Co-ordinate Bench of this Court vide order 13.6.2022 (Annexure P-3).

The instant petition is contested by the State counsel, who submitted that the petitioner was named in the FIR, as per which the mob including the petitioner, set on fire one bus at the time of the occurrence. The State counsel further contends that the petitioner could not claim parity with co-accused Rinky, who was not present at the spot when the aforesaid incident took place. The State counsel further contends that it is too early to grant bail to the petitioner.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

As per the allegations recorded in the FIR, the petitioner and some other persons set ablaze private bus at the time of occurrence at the instance of co-accused Rinky, who was not present at the spot. Admittedly, co-accused Rinky has been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 13.6.2022 (Annexure P-3). The petitioner is in custody since 2.4.2022. In the present case, no one sustained injuries. The police has presented the challan against the petitioner and other accused persons, on the completion of investigation. However, it will

take time for the trial to terminate, so no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

11.07.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No