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

CRM-M-31662-2020 (O&M)

Date of decision : 10.05.2022

Mewa Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. K.S. Khehar, Advocate,  
for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

**MAHABIR SINGH SINDHU, J.**

Third petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in FIR No.118 dated 19.04.2019, under Sections 148, 149, 323, 452, 506, 341, 307 & 120-B of the Indian Penal Code, 1860, registered at Police Station Pinjore, District Panchkula.

The above FIR was registered on the statement of one Charan Singh with the allegations that he is resident of village and Post Office Mullewali (Charnia). In the morning of 18.4.2019, he saw some persons of village who had raised some earth from the street along with cement and small gravel stones as well as bricks/tiles. Due to this, rain started accumulating in their house. When it came to their notice, they started work to control the water entering into their house. The moment they started the

work, Panch Gurmeet Singh son of Jarnail Singh, Damodar Singh son of Bachan Singh, Mewa Singh s/o Bachna Singh, Dhayalo Kaur wife of Mewa Singh son of Mewa Singh i.e. Sukhveer Singh, Jai Singh, Boy Pola, Satbir Singh, Kapoor Singh s/o Prem Singh and his son Manga Singh, Karnail Satyara Singh and his son Bunty Singh, Partap Singh s/o Sardara Singh, Sukhveer Singh, Harbasn Singh s/o Sardara Singh, Blakar Singh s/o Shyam Singh, Jalam Singh s/o Kehar Singh and his son Mohan, Amrik Singh, Soni Singh and Vikram s/o Mastram Singh and Mastram also, Sanjh Singh s/o Kastoori Singh, Satnam Singh s/o Mitha Singh and brother Chhota Singh, Gurdas Singh s/o Ram Lal and Ram Lal also Sandeep Singh s/o Balwant Singh, Gurjant Singh s/o Gurdial Singh, Kirtan Singh s/o Teja Singh, Baba Singh s/o Jagmal Singh and his son Goshi Singh attacked them with stone and bricks. To save themselves, complainant sided took shelter in their house, but due to pelting of stone and bricks, some men and women got injured. They called Panchayat and gave information to police.

This Court, on 13.10.2020, while granting interim bail to the petitioner, passed the following order:-

*“Contends that petitioner is in custody since 01.07.2018 and cross-version at his instance was also registered by way of FIR No.122 dated 20.04.2019 under Sections 148, 149, 323, 341, 506 IPC, registered at Police Station Pinjore, District Panchkula (P-2), but there is no progress of the trial due to COVID-19.*

*Learned State counsel seeks time to have*

*instructions in the matter regarding status of trial in both the FIRs.*

*On his request, adjourned to 18.12.2020.*

*In the meanwhile, let petitioner be released on interim bail till next date of hearing, on his furnishing bail bonds/ surety bonds to the satisfaction of CJM/ Duty Magistrate/ Trial Court, concerned. ”*

Learned Counsel, on instructions from petitioner, submits that he is regularly appearing before learned trial Court but there is no progress before the Court below.

The above factual position is duly acknowledged by learned State Counsel.

In view of the above, this Court is of the opinion that sending the petitioner in custody at this stage would not serve any purpose. Consequently, the present petition is allowed and interim bail granted vide order dated 13.10.2020, is made absolute. Petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

It is clarified that in case there is any misuse of concession of

bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

10.05.2022  
*atulsethi*

(MAHABIR SINGH SINDHU)  
JUDGE

|                               |     |    |
|-------------------------------|-----|----|
| Whether speaking / reasoned : | Yes | No |
| Whether Reportable :          | Yes | No |