

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

105 + 209

**CRM-M-49828-2021 (O &M)
Date of decision: 31.03.2022**

GOBIND SINGH @ KALA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Siddharth Attri, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab
for the respondent/State.

SANT PARKASH, J. (ORAL)

CRM-11654-2022

For the reasons mentioned in the application, the same is allowed and heading of the main petition CRM-M-49828-2021 is amended by adding offences under Section 34 IPC and Section 3 of Prevention of Damages to Public Property Act, 1984.

CRM-11731-2022

For the reasons mentioned in the application, the same is allowed and the documents as annexed with the application are taken on record as Annexures P-3 and P-4 and the petitioner is exempted from filing certified/typed copies of the same.

CRM-M-49828-2021

Prayer in this petition under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner, in case, FIR No.189 dated 24.07.2019 registered under Sections 458/379-B/353/186/332/427/201/34 of the Indian Penal Code, 1860 and Section 3 of Prevention of Damages to Public Property Act, 1984 at Police Station Lehra, District Sangrur.

The allegations against the petitioner are that he in connivance with other co-accused committed criminal trespass by entering into the Electricity Grid forcibly and illegally by scaling the main gate and break the window pane of control room. The accused persons also assaulted officials of the Electricity Grid and snatched Rs.1500/- from them.

Status report by way of affidavit of Manoj Gors, PPS, Deputy Superintendent of Police, Sub Division Lehra, District Sangrur has been filed on behalf of respondent/State.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present FIR. The petitioner had not caused any obstruction in the official duties of the employees, rather had gone to request the officials to repair the fuse of the electric line towards his supplies from the transformer. Co-accused Mandeep Singh @ Nittu has already been granted regular bail by Co-ordinate Bench of this Court vide order dated 13.11.2019. The petitioner is in

custody since 18.09.2021. Challan has already been presented and the trial is likely to take long time. No useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

Per contra, learned State Counsel has opposed the petition while contending that the allegations against the petitioner are serious in nature and the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Having considered the facts and circumstances of the case, period of custody of the petitioner, Co-accused Mandeep Singh @ Nittu has already been granted regular bail, challan in the present case has already been presented and the fact that the trial is likely to take long time but without expressing any opinion on the merits of case, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

31.03.2022
kavneet singh

(SANT PARKASH)
JUDGE

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