

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

Crl. Misc. M No. 17108 of 2016 (O&M)
Date of decision: 26.8.2016

Jaspal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE A. B. CHAUDHARI

Present: Mr. RP Dhir, Advocate,
for the petitioner.

Ms. Rimpaljit Kaur, AAG, Punjab.

A. B. CHAUDHARI, J. (Oral)

Crl. Misc.25983 of 2016

The application is allowed subject to all just exceptions.

Annexure P/5 is taken on record.

Main case

Heard learned counsel for the rival parties.

In FIR No. 221 dated 23.5.2015 under Sections 363, 366, 376 IPC, registered at Police Station City Phagwara, District Kapurthala, the petitioner was arrested on 23.5.2015 and since then is in jail as undertrial.

Admittedly, challan has been filed and the trial is on. The prosecution has examined main witness i.e. victim prosecutrix. Learned counsel for the State submits that out of 10, 4 witnesses have been examined.

I have perused the evidence of the prosecutrix, who is aged about 25 years. In view of the fact that material witnesses have been examined by the prosecution, I think there is no point in keeping the petitioner in jail as undertrial.

In that view of the matter, the petition is allowed. Bail to the satisfaction of the trial court. The petitioner shall not tamper with the prosecution witnesses nor with the evidence of the prosecution.

Learned counsel for the petitioner makes a statement that the petitioner shall not enter Phagwara till trial is completed and shall not tamper with the prosecution evidence. He also states that he will not apply for the modification of this condition.

26.8.2016
prem

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No