

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

CRL. MISC. No.M-27388 OF 2016
DATE OF DECISION : 17th AUGUST, 2016

Manoj Kumar @ Monu

.... Petitioner

Versus

State of Punjab

.... Respondent

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

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Present : Mr. N. S. Sodhi, Advocate for the petitioner.
 Ms. Rajni Gupta, Addl. A.G. Punjab.
 Mr. Aayush Gupta, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.123 dated 09.05.2015 under Sections 302, 323, 341, 427, 149 and 120-B IPC registered at Police Station City Salem Tabri, District Ludhiana.

Heard learned counsel for the rival parties.

The petitioner was arrested in this FIR on 24.05.2015 and since then he is in jail. Admittedly, the challan has been filed before the competent Court. It is true that the petitioner was the main person who had allegedly thrown stone which hit the deceased and ultimately due to the injury to the head he died. Looking to the nature of the incident, I think *prima facie* the petitioner would be entitled to grant of regular bail particularly, he has been in jail since May, 2015. There is no point in continuing his detention pending trial. The petitioner is however directed not to temper with the prosecution witnesses. In that view of the matter, I

think the petitioner should be released on regular bail. Hence, I make the following order:

ORDER

- (i) The petition is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the Trial Court/Duty Magistrate, Ludhiana.
- (iii) The petitioner shall not tamper or influence the prosecution witnesses.
- (iv) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

17th AUGUST, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE