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

CRM-M-30106 of 2016

Date of decision: September 15, 2016

Baldev and another

.....Petitioners

Versus

State of Haryana

.....Respondent

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

Present: Mr. Jitender Dhanda, Advocate
for the petitioners.

Mr. Karan Sharma, AAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.784 dated 19.12.2015, under Sections 452, 323, 302/34 of Indian Penal Code, 1860, registered at Police Station City Fatehabad, petitioners were arrested and are in jail in respect of death of Sunil.

Though, the FIR shows that Sunil was assaulted by means of fists and kick-blows, but the post-mortem report shows the death due to cardiac arrest with no other injury. There is a prima-facie case for grant of bail. However, since the prosecution witnesses have not been examined as yet, care will have to be taken to prevent the petitioners from entering the Fatehabad till the trial is completed.

In that view of the matter, this petition is allowed.

Petitioners be released on bail subject to the satisfaction of the Chief

Judicial Magistrate/Duty Magistrate concerned. Petitioners shall not enter the District of Fatehabad except on the dates of appearance before the trial Court. Petitioners shall not tamper with the prosecution evidence and threaten the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

September 15, 2016
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No