

265

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

CRM-M-31452 of 2016

Date of decision: September 14, 2016

Jagjiwan

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Gobind Dhanda, Advocate for the petitioner.

Mr. Karan Sharma, AAG Haryana.

Mr. Y.S. Rathore, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Learned counsel for the petitioner submits there is no semblance of evidence against the petitioner with the prosecution, but the challan has been filed. Petitioner was arrested on 19.05.2016 and is in Jail since then.

Learned State counsel as well as learned counsel for the complainant vehemently opposed the petition for grant of bail to the petitioner on the ground that the petitioner and his relatives have indulged in further assaulting the other members of the family of the deceased and threatening the complainant and therefore, the petitioner should not be released on bail.

In my opinion, having regard to the evidence collected by the prosecution, prima-facie, there is no evidence against the petitioner

connecting him with the crime in question. The petitioner is therefore, entitled to grant bail. However, care will have to be taken for the prosecution witnesses and in that view of the matter, learned counsel for the petitioner submits that the petitioner would not enter the District Jind except on the date of appearances before the Sessions Court and would report to the Police Station Kalayat, District Kaithal once in a week, i.e. Sunday from 11 AM to 4 PM. Petitioner shall not tamper with the prosecution witnesses.

In that view of the matter, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner would not enter the District Jind except on the date of appearances before the Sessions Court and would report to the Police Station Kalayat, District Kaithal once in a week, i.e. Sunday from 11 AM to 4 PM. Petitioner shall not tamper with the prosecution witnesses. The trial has already started and the same is expedited and be completed within 6 months.

(A.B. CHAUDHARI)
JUDGE

September 14, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No