

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

**Crl. Misc. No. M- 34286 of 2016
Date of Decision:-30.09.2016**

Sat Narain @ Sattu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.G.S. Sidhu, Advocate for the petitioner.

Mr.Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioners in case FIR No.274, dated 23.05.2016, for offence under Sections 195-A/506 IPC registered at Police Station, Urban Estate Rohtak, Distt. Rohtak, during the pendency of trial.

Learned counsel for the petitioner contends that allegation against the petitioner that the petitioner has ever threatened the complainant is incorrect and in support thereof, he has referred to the statement of constable, namely, Balwan Singh who was posted with the complainant, as a security guard.

In the statement under Section 161 Cr.P.C. Constable-Balwan Singh has stated that on 22.05.2016 at about 7.00 P.M. some persons came

there and asked him that they have come as Panchayat and want to talk with Shanti Devi and her family members. When he was posted at the main gate of the house of deceased-Baljeet Singh, in his presence, no such quarrel has ever taken place between the persons who visited the house of the family of Shanti Devi, i.e. the widow of the deceased-Baljeet Singh.

Learned counsel for the State, on instructions from SI-Raj Pal, submits that since the petitioner has threatened the complainant's family and more particularly when he is an accused for offence under Section 302 IPC, he is not entitled for grant of bail.

I have heard learned counsel for the parties.

There is no dispute that before the incident dated 22.05.2016, the petitioner was released on regular bail by learned trial Court in the main case on 25.03.2016 and it is on account of alleged threat the bail has been cancelled. However, considering the statement of Constable-Balwan Singh, wherein, he has not supported the complainant's version in case FIR No. 274, dated 23.05.2016 under Sections 195-A/506 IPC, Police Station, U/Estate and the fact that the petitioner is in custody since 24.05.2016 as well as the fact that the trial in the case will take sufficient long time to conclude, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

It is also made clear that expression made here-in-above shall not be construed as an expression on the merit of the case and the trial

Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

30.09.2016
Anjal

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>