

CRM-M-37256-2016

Date of Decision : 04.11.2016

Kamruddin

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. B.R. Vohra, Advocate
for the petitioner.

Mr. C.S. Bakhshi, Addl.A.G., Haryana.

Mr. Jamshed Ahmed, Advocate
for the complainant.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner is alleged to have exhorted the other co-accused to attack complainant Yunus on account of dispute regarding the panchayat elections. It has been informed that 58 persons had been made accused in the present case whereas 14 persons had received injuries.

Learned counsel for the complainant has intervened to oppose the application for bail contending that it is the petitioner who is a king pin and vindictive against the complainant, on account of complainant having been elected as Sarpanch. No doubt, the allegations against the petitioner are serious but in view of the fact that he is not attributed any injury on the person of any one and he has been in custody with effect from 21.08.2016; challan having already been presented, it will not be appropriate to keep him in custody during the entire period of trial.

The petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that before release of the petitioner, he would be required to furnish an affidavit before the trial Court that he will not indulge in similar activity during the period of trial. It is observed that in case the petitioner indulges in any activity resulting in breach of peace, it will be open to the complainant or the prosecution agency to seek the cancellation of bail.

(M.M.S. BEDI)
JUDGE

04.11.2016
Neha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No