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

CRM-M-37587 of 2016

Date of decision: November 11, 2016

Prem Kumar @ Kalu

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. J.S. Lalli, Advocate for the petitioner.

Mr. A.S. Yadav, AAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.652 dated 20.05.2016, under Sections 326, 332, 353, 186, 342, 365, 379-B read with Section 34 of Indian Penal Code, 1860, registered at Police Station City Panipat, petitioner was arrested on 20.05.2016 and are in jail since then.

It is true that the petitioner has committed serious offence by assaulting and restraining the Government officers of Excise Department in his house when the party had gone to conduct raid for finding out illicit liquor. But then, learned State counsel states that there is no similar offence against the petitioner in so far as the illicit liquor is concerned.

In that view of the matter, the challan has been filed and there is no likelihood of the petitioner tampering with the official witnesses of the Excise Department or any other evidence. The trial is

going on. A condition can be imposed on the petitioner while ordering his release on bail.

In that view of the matter, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned who may impose such conditions as deem fit and proper. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

November 11, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No