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

CRM-M-38430 of 2016

Date of decision: November 29, 2016

Harinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. B.S. Bhalla, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. AG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.86 dated 18.05.2016, under Section 379-B of Indian Penal Code, 1860, registered at Police Station Kamboj, Amritsar, petitioner was arrested on 22.08.2016 and is in jail since then.

Pursuant to the last order dated 18.11.2016, learned counsel for the petitioner has filed the affidavit of father of the petitioner and the same has been taken on record and is marked as 'X' for identification.

Learned State counsel submits that there is no other offence against the petitioner of similar nature. The challan has been filed.

In my opinion, there is no point in continuing the detention

of the petitioner in Jail *ad infinitum*, particularly when the father of the petitioner has filed affidavit which is marked as 'X' on record. Learned counsel for the petitioner states that when the petitioner comes out of Jail after granting bail, the father of the petitioner would comply with the Para-3 of the said affidavit in letter and spirit.

Be that as it may, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner to make a statement about the property in question to the Investigating Officer. Liberty is reserved in favour of the respondent-State to apply for cancellation of bail in case of non-corporation by the petitioner. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

November 29, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No