

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

CRL. MISC. No.M-45321 OF 2016
DATE OF DECISION : 23rd DECEMBER, 2016

Deepak Kumar @ Tari

.... Petitioner

Versus

The State of Haryana

.... Respondent

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

* * * *

Present : Mr. Harpreet Singh Rakhra, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.107 dated 11.06.2016 registered under Sections 148, 149, 323, 436, 307 & 506 IPC at Police Station Sector 14, District Panchkula.

Heard learned counsel for the rival parties.

There are 07 accused in this FIR of assault of the victim by means of dangerous weapons. The petitioner was arrested on 21.06.2016 and since then he is in jail. Out of 07 accused, 01 is juvenile, 01 is absconding and remaining 05 accused are in jail. Admittedly, the challan has been filed.

Looking to the nature of the dispute and the incident that took place regarding assault, I think the trial will take its own time and, therefore, the petitioner should be released on bail. No other criminal incident are reported against the petitioner.

At the same time the care will have to be taken to protect the prosecution witnesses and the victims. Therefore, I have asked the

learned counsel for the petitioner as to whether the petitioner would be ready to stay at a place other than the place of occurrence and would not apply for modification of the condition if he is asked to stay outside the District Panchkula.

Learned counsel for the petitioner makes the statement that except for the date of trial the petitioner would not enter District Panchkula. The petitioner would not ask for modification of the condition not to enter District Panchkula.

In that view of the matter, I am inclined to grant concession of bail to the petitioner. Hence the following order:

ORDER

- (i) CRL. MISC. No.M-45321 OF 2016 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall not enter the limits of the District Panchkula, save and except the date of hearing before the trial Court.
- (iv) The petitioner shall not apply for modification of the above condition to stay out of District Panchkula till the trial is over as per the statement made.
- (v) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

23rd DECEMBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No