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

CRM-M-1367 of 2017

Date of decision: February 16, 2017

Aftab Aalam

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. G.C. Shahpuri, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.478 dated 29.07.2016, under Sections 148, 149, 323, 364, 452, 506 of Indian Penal Code, 1860, registered at Police Station City Jagadhri, District Yamunanagar, petitioner was arrested on 31.08.2016 and is in jail since then.

The challan has admittedly been filed before the competent Court. The offences are triable by the Magistrate.

Learned counsel for the complainant vehemently opposed the bail petition of the petitioner. The similar is the stand taken by the learned State counsel.

In my opinion, looking to the nature of offences above and the fact that the challan has been filed, there is no point in continuing the detention of the petitioner as under trial. In that view of the matter,

I am inclined to grant bail to the petitioner. However, care will have to

be taken to the interest of the prosecution witnesses.

Learned counsel for the petitioner upon instructions from the petitioner states that the petitioner would not enter Yamunanagar till the trial is completed same and except the dates of appearances before the trial Court and shall not apply for modification of this condition. In my opinion, statement would be sufficient to take care of interest of the prosecution witnesses.

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. Petitioner shall not enter Yamunanagar till the trial is completed same and except the dates of appearances before the trial Court and shall not apply for modification of this condition. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

February 16, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No