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

CRM-M-15207 of 2017

Date of decision: July 13, 2017

Vijender @ Bijender @ Om

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks regular bail in FIR No.958 dated 01.12.2015, under Sections 148, 149, 302 and 506 of Indian Penal Code, 1860, registered at Police Station Civil Lines, Karnal. He was arrested on 31.07.2016 and is in Jail since then. The trial has commenced. The evidence of Savita and Manoj has been seen by me.

Learned State counsel opposes the petition for bail on the ground that their cross-examination is not yet completed and there is likelihood of tampering the evidence and one of the eye-witness, namely Balwinder is also required to be examined.

I have perused the deposition of these two witnesses, namely Savita and Manoj so also the FIR and find that so far as the petitioner is concerned, the only allegation against him is that he was along with 10-12 persons who were standing along with other accused

persons. Out of these 10-12 persons, Vicky and Rajesh attacked but there is no allegation that the petitioner had attacked anybody or he had performed any overt act resulting his participation in the unlawful assembly. In that view of the matter, I am inclined to grant bail to the petitioner to the satisfaction of the trial Court.

Hence, this petition is allowed. The petitioner be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well nor would contact any witness during trial. The petitioner shall report to the Police Station concerned on Sunday and Wednesday of every week between 10:00 A.M. to 4:00 P.M. except for the dates of appearance before the Sessions Court.

(A.B. CHAUDHARI)
JUDGE

July 13, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No