

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18325-2017

Date of decision: July 24, 2017.

Kuldeep @ Billa

... **Petitioner**

v.

State of Haryana

... **Respondent**

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

Present: Shri Chanderkant Tyagi, Advocate for the petitioner(s).

Shri Chetan Sharma, Assistant Advocate General, Haryana.

A.B. Chaudhari, J. (Oral):

This is a petition under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in case FIR No.110 dated 17.02.2017 registered under Sections 379-B IPC and 54, 59 of the Arms Act (Section 25 deleted later on) at Police Station Samalkha, District Panipat.

The petitioner was arrested in this case on 2.3.2017 and since then he is in jail.

Learned State counsel submits, on instructions from ASI Yogender Singh, that there is no other case against the petitioner.

The prosecutions allegations are that the petitioner has snatched away mobile phone and an amount of ₹5,000/- along with co-accused. The challan has been filed in this case.

There is no evidence against the petitioner. Since the case is triable by the Magistrate, the trial will take its own time for its disposal. However, this being first offence and the counsel for the petitioner has made statement that the petitioner would not enter the Tehsil Samalkha, the

concession of bail can be granted to the petitioner.

In view of the statement of counsel for the petitioner the interest of the prosecution and its witnesses will be protected. In the light of the above, I make the following order:

ORDER

- (i) CRL. MISC. No.M-18325 of 2017 is allowed.
- (ii) The petitioner be released on regular bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall not enter the limits of Tehsil Samalkha till the completion of the trial and shall not apply for modification of this condition till the trial is over.
- (iv) The petitioner shall not tamper or influence the prosecution witnesses.
- (v) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

July 24, 2017.

kadyan

[A.B. Chaudhari]
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No