

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

CRL. MISC. No.M-18602 OF 2017
DATE OF DECISION : 26TH MAY, 2017

Ram Chand

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Preetinder S. Ahluwalia, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Punjab.

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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.218 dated 29.10.2016 registered under Sections 307, 325 & 506 IPC at Police Station Patran, District Patiala.

Heard learned counsel for the rival parties.

The petitioner was arrested in this FIR on 29.10.2016 and since then he is in jail.

According to the prosecution case the complainant was drying the clothes in front of her plot, but the petitioner tried to put on fire the clothes of her children and when she stopped him, the petitioner attacked the complainant with bat and gave blows several times which hit on her head, arms and legs. However, there is no fracture on the head. In that view of the matter, I am inclined to grant concession of regular bail to the petitioner.

The case is at the committal stage. The complainant and the petitioner are neighbours. Therefore, the care will have to be taken to protect the interest of the prosecution and its witnesses including complainant,

particularly because the petitioner as well as the complainant are residents of the same village i.e. Patran. In order that the witnesses are not tampered, it would , therefore, be appropriate to ask the petitioner to remove himself from the said village till the trial is completed.

In that view of the matter, counsel for the petitioner makes statement that the petitioner shall not enter the limits of the village Patran till the disposal of the trial and shall not apply for modification of this condition, at least till the victim or complainant is actually examined before the Sessions Court. Statement of learned counsel for the petitioner is accepted.

In the result, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-18602 OF 2017 is allowed.
- (ii) The petitioner shall be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall not enter the limits of the village Patran till the disposal of the trial and shall not apply for modification of this condition.
- (iv) In case of violation of the above condition on the part of the petitioner, the liberty is reserved in favour of the complainant/State to apply for cancellation of bail.

26TH MAY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes</i>	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>No</i>