

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

CRL. MISC. No.M-22036 OF 2017
DATE OF DECISION : 6th JULY, 2017

Saajan @ Danish Bhatti

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. Piyush Sharma, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

Mr. Jatinder Pal Singh Smagh, Advocate
for the complainant.

* * * *

A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.238 dated 21.10.2016 registered under Sections 313, 452, 323, 148 & 149 IPC at Police Station City Ferozepur, District Ferozepur.

Heard learned counsel for the rival parties.

The prosecution case is that there was a quarrel amongst the children and as a result of the quarrel the petitioner assaulted the complainant who was pregnant with four months pregnancy. As a result of the assault on her there was miscarriage.

Indeed the offence is serious in nature. However, the petitioner cannot be allowed to be detained as under trial for indefinite period. However, the care will have to be taken to protect the interest of

the prosecution, since the petitioner could easily tamper the complainant herself.

In that view of the matter, learned counsel for the petitioner makes a statement on behalf of the petitioner that the petitioner would not enter the limits of City Ferozepur till the recording of the evidence of the complainant-Tania and her cross-examination as well. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-22036 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the CJM/Duty Magistrate, Ferozepur.
- (iii) The petitioner shall not enter the limits of City Ferozepur till the examination and cross-examination of the complainant-Tania, save and except the dates of attendance before the trial Court in the present case and another case regarding murder of his father, and shall not apply for modification of this condition till then.
- (iv) The petitioner shall not tamper or influence the prosecution witness(es).
- (v) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

6TH JULY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*