

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

CRL. MISC. No.M-22686 OF 2017
DATE OF DECISION : 6th JULY, 2017

Dharmender @ Kaka

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. M. R. Sharma, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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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.652 dated 20.05.2016 registered under Sections 186, 332, 342, 353, 365, 379-B, 324, 326 & 34 IPC at Police Station City Panipat, District Panipat.

Heard learned counsel for the rival parties.

The petitioner was arrested on 10.05.2017 and is in jail since then. It is true that the petitioner has committed serious offence by assaulting and restraining the Government officers of Excise Department when they had gone to conduct raid for finding out illicit liquor. But then, learned State counsel states that there is no similar offence against the petitioner in so far as the illicit liquor is concerned.

Since the challan has been filed and there is no likelihood of the petitioner tampering with the official witnesses of the Excise Department or any other evidence and the trial is going on, a condition can be imposed on the petitioner while ordering his release on bail.

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 who may impose such conditions as deem fit and proper. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

6TH JULY, 2017
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(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>