

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

**CRM-M No.27115 of 2016
Decided on: 02.03.2017**

Altaf

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. S.S. Narula, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.415 dated 08.07.2015, registered at Police Station Sadar, District Palwal, for offence punishable under Sections 147, 148, 149, 354-B, 395, 285, 153-A and 506 of the Indian Penal Code (in short 'IPC') and Section 25 of the Arms Act.

Counsel for the petitioner has submitted that during investigation offence under Sections 153-A, 395, 285 and 506 IPC and 25 of the Arms Act have been deleted. It is further submitted that the petitioner is in custody since 22.07.2015; on completion of investigation challan has already been presented in the Court and conclusion of trial is likely to take its own time.

Status report by way of affidavit of Abhimanyu, Deputy Superintendent of Police, Palwal filed in the Court is taken on record.

Counsel for the State on the basis of averments made in the

affidavit would concede to the fact that offences under the aforesaid Sections have been deleted. It has further been submitted that present is the only case pending against the petitioner.

I have heard counsel for the parties and perused the paperbook particularly the affidavit of Deputy Superintendent of Police, Palwal.

Be that as it may, challan has been presented in the Court, the petitioner is in custody for the past 1 ½ years and conclusion of the trial is likely to take its own time, there is no allegation against the petitioner that he is likely to flee from the process of justice in case, enlarged on bail.

Without commenting upon merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

02.03.2017
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No