

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

CRL. MISC. No.M-29765 OF 2017
DATE OF DECISION : 15th DECEMBER, 2017

Sumit

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Vikram Singh, 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.180 dated 12.06.2016 registered under Sections 148, 149, 323, 324, 506 IPC (Section 302 IPC has been added later on) at Police Station Sadar Panipat, District Panipat.

Heard learned counsel for the rival parties.

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Following is the evidence in respect of the injured Bhajji:

“Ravit son of Ramesh gave me hockey blow. Vicky son of Jasmat inflicted injuries to me with wooden handle (Binda). Sheela son of Paras inflicted Gandasi blow on my right hand. Sumit son of Jagdish gave a pistol butt blow on my head. Rinku son of Rai Singh gave a iron bar blow on my both legs. Sunder son of Om Singh gave a wooden handle blow on my back.”

In view of the above evidence, I think, the petitioner would be entitled to grant of bail. The main accused persons who caused death of Hari, have been attributed the main role and not the petitioner.

However, the care will have to be taken to protect the interest of the prosecution, since the petitioner could easily tamper the prosecution witnesses.

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 Panipat till the completion of the trial. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-29765 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the CJM/Duty Magistrate, Panipat.
- (iii) The petitioner shall not enter the limits of City Panipat till the completion of the trial, save and except the dates of attendance before the trial Court in the present case 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.

15TH DECEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No