

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

**CRL. MISC. No.M-3056 OF 2017
DATE OF DECISION : 6th FEBRUARY, 2017**

Ajay

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Surinder Dagar, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, 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.549 dated 15.12.2016 registered under Section 379-A IPC at Police Station PGIMS Rohtak, District Rohtak.

Heard learned counsel for the rival parties.

The petitioner was arrested in this FIR on 15.12.2016 and since then he is in jail. Learned State counsel submits that challan has been filed in this case. He fairly states, on instructions from HC Sunil Kumar, Police Station PGIMS Rohtak, that this is first offence committed by the petitioner.

Learned counsel for the petitioner makes a statement that after releasing from the jail the petitioner will file undertaking within two weeks that he would not indulge in any type of offence and would also submit a copy of the affidavit to the concerned Police Station.

In view of the fact that the challan has been filed and the trial will take its own time and further fact that this is first offence

committed by the petitioner and the petitioner is ready to give an affidavit as stated above, the petitioner is ordered to be released on bail.

At the same time the care will have to be taken to protect the prosecution witnesses and the complainant. Therefore, I have asked the learned counsel for the petitioner as to whether the petitioner would be ready to stay away from the place i.e. PGIMS, Rohtak and would not apply for modification of the condition if he is asked to stay away from PGIMS, Rohtak and also not to contact the complainant in any manner.

Learned counsel for the petitioner makes the statement that the petitioner would not enter the premises of PGIMS, Rohtak and would not contact the complainant and also the petitioner would not ask for modification of this condition.

In that view of the matter, I am inclined to grant concession of bail to the petitioner. Hence the following order:

ORDER

- (i) CRL. MISC. No.M-3056 OF 2017 is allowed.
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall not enter the premises of PGIMS, Rohtak of shall not contact the complainant in any manner.
- (iv) The petitioner shall not apply for modification of the above condition to stay out of the premises of the PGIMS, Rohtak till the trial is over as per the statement made.
- (v) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

6th February, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No