

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

**CRL. MISC. No.M-307 OF 2017
DATE OF DECISION : 14th FEBRUARY, 2017**

Sanjeev alias Manu alias Hooka

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Akshay Kumar Jindal, 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.958 dated 01.12.2015 registered under Section 148, 149, 302 & 506 IPC at Police Station Civil Lines Karnal, District Karnal.

Heard learned counsel for the rival parties.

The petitioner was arrested on 25.12.2015 and is in Jail since then. The trial has commenced. The evidence of Savita and Manoj has been seen by me.

Learned State counsel as well as learned counsel for the complainant opposes the petition for bail on the ground that their cross-examination is not yet completed and there is likelihood of tampering the evidence and one of the eye-witness, namely Balwinder is also required to be examined.

I have perused the deposition of these two witnesses, namely Savita and Manoj so also the FIR and find that so far as the petitioner-

Sanjeev is concerned, the only allegation against him is that he was along with 10-12 persons who were standing along with other accused persons. Out of these 10-12 persons, Vicky and Rajesh attacked but there is no allegation that the petitioner-Sanjeev had attacked anybody or he had performed any overt act resulting his participation in the unlawful assembly.

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

ORDER

- (i) CRL. MISC. No.M-307 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 tamper with the prosecution witnesses nor would contact any witness during trial.
- (iv) The petitioner shall report to the Police Station concerned on Sunday and Wednesday of every week between 10:00 A.M. to 4:00 P.M. except for the dates of appearance before the Sessions Court.
- (v) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

14th February, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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