

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

CRL. MISC. No.M-40172 OF 2016
DATE OF DECISION : 15th FEBRUARY, 2017

Shanky

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Ravinder Banger, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

This is a petition under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in case FIR No.540 dated 26.06.2016 registered under Sections 148, 323, 324, 326, 341, 149 & 506 IPC at Police Station City Thanesar, District Kurukshetra.

Heard learned counsel for the rival parties.

Learned State counsel submits that challan has been filed in this matter.

The petitioner was arrested on 26.08.2016 and since then he is in jail. Admittedly, the challan has been filed. The co-accused of the petitioner has also been granted bail by this Court as submitted by learned counsel for the petitioner. In that view of the matter, it would not be appropriate to continue with the detention of the petitioner under trial *ad infinitum*. But then, the care is being taken that the prosecution witnesses are not threatened or tampered or in any manner contacted or influenced by the accused persons.

In that view of the matter, counsel for the petitioner makes statement upon instructions that the petitioner shall not enter the limits of the Kurukshetra till the disposal of the trial and shall not apply for modification of this condition. Statement of learned counsel for the petitioner is accepted.

In the light of the above, I make the following order:

ORDER

- (i) CRL. MISC. No.M-40172 OF 2016 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 limits of District Kurukshetra, save and except the date of hearing before the trial Court.
- (iv) The petitioner shall not apply for modification of the above condition till the trial is over as per the statement made.
- (v) The petitioner shall not tamper or influence the prosecution witnesses.
- (vi) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

15th February, 2017
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(A. B. CHAUDHARI)
JUDGE

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