

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

CRL. MISC. No.M-44589 OF 2016
DATE OF DECISION : 9th MARCH, 2017

Kuldeep Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Ms. Poonam Rani, Advocate for the petitioner.

Mr. Abhishek Chautala, Asst. Advocate General, Punjab.

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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.88 dated 30.07.2016 registered under Section 379-B IPC at Police Station Amargarh, Sangrur.

Heard learned counsel for the rival parties.

The petitioner has been arrested on 09.08.2016 and since then he is in jail.

The learned counsel for the State opposed the petition on the ground that the petitioner is facing trial in two more similar offences.

Admittedly the challan has been filed in the instant case and the offence is triable by the Magistrate and the trial will take its own time to conclude.

It is true that the petitioner is facing trial in two more cases but then upon obtaining undertaking on affidavit some arrangement can be made to protect the interest of the prosecution, instead of continuing the detention of the petitioner in jail.

Accordingly, learned counsel for the petitioner makes a statement that if the petitioner is granted bail the petitioner will file undertaking/affidavit within two weeks from the date of release that he would not indulge in such type of offence and would surrender to the custody in that eventuality.

In that view of the matter I make the following order:

ORDER

- (i) The CRL. MISC. No.M-44589 OF 2016 is allowed
- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall file an affidavit within two weeks after release that he will not commit such type of offence again.
- (iv) The petitioner shall not tamper or influence the prosecution witness(es).
- (v) The State will be at liberty to apply for cancellation of bail in case of any further commission of such type of offence by the petitioner.

9th March, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE