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

CRM-M-7539 of 2017

Date of decision: July 13, 2017

Tek Chand alias Babloo

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Yesh Paal Malik, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.319 dated 13.08.2015, under Sections 307, 34 of the Indian Penal Code, 1860, Sections 25, 54, 59 of Arms Act, 1959, registered at Police Station Bhupani, Faridabad, District Faridabad, Haryana. The petitioner was arrested on 09.08.2015 and since then he is in custody.

Learned State counsel submits that out of 23 witnesses, 15 witnesses have been examined including material witnesses. She also submits that the person at whom the fire was made, did not name the petitioner during his evidence before the trial Court. She also submits that there is one more case of similar type against the petitioner.

Undoubtedly, the petitioner, who has to his credit one more case of the similar nature, is in jail as under trial since 09.08.2015 and since all material witnesses have been examined and

looking to the nature of evidence brought against him, the petitioner will be entitled to grant of bail. Petitioner will have to file an undertaking before the concerned police station that he will not indulge in similar or any other kind of offence in future.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall file an undertaking before the concerned police station that he will not indulge in similar or any other kind of offence in future. Liberty in favour of the State to apply for cancellation of bail in case eventuality arise. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

July 13, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No