

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

CRL. MISC. No.M-929 OF 2017
DATE OF DECISION : 6th FEBRUARY, 2017

Jujhar Singh alias Pappu

.... Petitioner

Versus

State of Punjab

.... Respondent

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

* * * *

Present : Mr. G. B. S. Dhillon, Advocate for the petitioner.

Mr. Abhishek Chautala, Assistant Advocate General,
Punjab.

Mr. Gurbachan Singh Bhatia, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

In FIR No.49 dated 03.04.2016 registered under Sections 307, 427 & 506 IPC and Section 25 of Arms Act, 1959 at Police Station Morinda, District Roopnagar, the petitioner was arrested on 16.12.2016 and since then he is in jail. It is not in dispute that it is the first offence committed by the present petitioner.

Heard learned counsel for the rival parties.

Learned counsel for the petitioner vehemently argued that it was the complainant, who is a school going student, himself was responsible for inciting the entire incident.

The petitioner is in jail since the date of his arrest i.e. 16.12.2016. The challan has not yet been filed and, therefore, the trial will take its own time. In this view of the matter, however, without going into the allegation against the petitioner, the petitioner deserves to be released on bail but then the interest of the complainant as well as

prosecution will have to be taken care of. In that view of the matter, counsel for the petitioner makes statement upon instructions from the brother of the petitioner that the petitioner shall not enter the limits of the place Morinda, District Roopnagar at any point of time and would reside at Mohali.

In the result, I make the following orders:

ORDER

- (i) CRL. MISC. No.M-929 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 limits of Morinda, District Roopnagar, same and except the date of hearing before the trial Court.
- (iv) The petitioner shall not apply for modification of the above condition to stay out of Morinda, District Roopnagar 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.

6th February, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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