

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

CRM-M No.36870 of 2017

Date of decision : 06.09.2018

Islam alias Fauji

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Vinod Bhardwaj, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

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DAYA CHAUDHARY, J. (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to petitioner Islam alias Fauji in case FIR No.180 dated 11.05.2017 under Sections 364-A, 389, 387, 379, 343, 323 and 120-B of the Indian Penal Code, 1860 registered at Police Station Hathin, Distt. Palwal.

Learned counsel for the petitioner submits that the petitioner was released on interim bail vide order dated 14.02.2018 and since then, there is no evidence to show that he has influenced any of the prosecution witnesses or tampered with the evidence in any manner. The bail application of the petitioner has been dismissed only on the ground that some of the accused have not been arrested so far. Petitioner has undergone custody of approximately 9 months and since the date of releasing him on interim bail,

nothing adverse has been found against him. Charges have been framed and four material prosecution witnesses have been examined. Petitioner undertakes not to influence the prosecution witnesses and tamper with evidence. He undertakes to appear before the trial Court on each and every date of hearing.

Heard arguments of learned counsel for the parties. I have also perused the contents of the FIR and other documents on the file.

The interim order passed in favour of the petitioner is made absolute. Petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court. Trial Court is also directed to impose any of the reasonable term and condition to be abided by the petitioner. In case there is any interference or tampering with the evidence by the petitioner while recording statements of the prosecution witnesses or any efforts are being made to influence the prosecution witnesses, the State is at liberty to move an application for cancellation of bail.

Disposed of.

06.09.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No