

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

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CRM-M-6515-2019

Date of Decision: 15.02.2019

Terminder Singh Chaudhary

.....Petitioner

Versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Jatinder Nagpal, Advocate,
for the petitioner.**

**Mr. Kuldip Tiwari, APP,
for U.T., Chandigarh.**

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.378 dated 17.10.2018 under Sections 354, 354-A, 354-D, 506, 509 IPC and Section 67-A of the I.T. Act, registered at Police Station Sector-34, Chandigarh.

Learned counsel for the petitioner states that the petitioner is in custody since 17.10.2018 and the very FIR is a counter-blast to the FIR registered at the behest of petitioner and his wife. He states that FIR No.180 dated 09.05.2018 under Sections 294, 354-A, 354-D IPC, Police Station South, Sector-34, Chandigarh was registered at the behest of wife of the petitioner Manpreet Kaur, wherein brother of the complainant Vinay Sharma is an accused. Similarly, FIR No.456 dated 01.12.2017 under Sections 323, 341, 500, 506, 509, 34 IPC, Police Station South Sector-34, Chandigarh, was registered at the behest of the present petitioner, wherein father of the complainant i.e. Kamal Sharma, her brother Vinay Sharma and Munish Sharma are accused. Even otherwise, trial in the case will take

sufficient long time.

Learned State Counsel appearing on behalf of U.T., Chandigarh on instructions from SI Vijay Kumar states that mobile phone recovered from the petitioner in the case has been sent to Forensic Science Laboratory and the report is awaited. The complainant has been examined in chief and her cross-examination is fixed for 28.02.2019.

Heard learned counsel for the parties.

The petitioner is in custody since 17.10.2018. Charges in the case were framed on 03.01.2019 and the complainant was examined in chief on 31.01.2019. Thereafter, the case was fixed for 14.02.2019 but on that day, the complainant was not present and the case was deferred for her cross-examination on 28.02.2019.

Considering the fact that FIR No.180 dated 09.05.2018 under Sections 294, 354-A, 354-D IPC, Police Station South, Sector-34, Chandigarh and FIR No.456 dated 01.12.2017 under Sections 323, 341, 500, 506, 509, 34 IPC, Police Station Sector-34, Chandigarh, have been registered at the behest of the petitioner and his wife, this Court finds that the petitioner deserves to be extended the benefit of bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses in any manner directly or indirectly.

February 15, 2019

seema

(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No