

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

Crl.Misc.No.M- 21941 of 2015(O&M)

Date of Decision : 14.07.2015

DurgeshPetitioner

Versus

State of Haryana ...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.R .S.Randhawa, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Addl. A. G. Haryana with
Mr. Himmat Singh, Astt. A. G. Haryana.

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 7 dated 07.01.2015 under Section 304 IPC registered at Police Station Hodal, District Palwal.

Allegations against the petitioner is that he was negligent and caused the death of the deceased who was passing through his fields. The deceased died on account of an electric shock on entanglement with the iron fence in the fields of the petitioner which the petitioner attributes to a fall of over head electric wires. He thus, contends that there is no fault on his part. Apart from that, it is contended that the petitioner is in custody since 26.03.2015.

Learned counsel for the respondent contends that the petitioner is responsible for the death of the deceased. However, it is stated that the trial is in progress.

Be that as it may, considering the fact that the petitioner is in custody since March 2015 and the trial is likely to take some time and also the fact that the issue of negligence has yet to be determined, I deem it

appropriate to direct the petitioner to be released on bail in terms of Section 439 Cr.P.C subject to his furnishing bail bonds to the satisfaction of trial Court.

Bail to the satisfaction of learned Trial Court/Duty Magistrate.

Nothing said herein shall be construed to be an expression on the merits of the case.

14.07. 2015
mamta

(Mahesh Grover)
Judge