

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

CRM-M-42658 of 2015.

Decided on:-22.12.2015.

Gursewak Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Amarjit Singh Ahluwalia, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

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 case FIR No.175 dated 4.9.2015 under Section 306 IPC registered at Police Station, City Kharar, District SAS Nagar.

Learned counsel for the petitioner, on the strength of certificate Annexure P-2 dated 15.12.1993 issued by the PGIMER, Chandigarh, submits that the petitioner has 90% physical impairment due to right hip disarticulation as per the Manual For Doctors to Evaluate Physical Impairment 1981. He further submits that even the wife of the petitioner was 60% disabled.

Learned State counsel, on instructions from ASI Ashok Kumar, submits that in the case in hand, the FSL report regarding establishment of cause of death of the deceased is yet to be received. He has also placed on file the custody certificate of the petitioner, which is taken on record.

Heard.

Taking into consideration the fact that the petitioner is 90% disabled and the FSL report is still awaited coupled with the fact that he is in custody since 4.9.2015 and conclusion of the trial will take sufficient long time, the present petition is allowed. The petitioner is admitted to bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Needless to say that the expression made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of availability of evidence.

December 22, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE