

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

CRM-M No.1136 of 2016

Date of Decision:-11.02.2016

Kuljeet Singh.

.....Petitioners.

Versus

State of U.T., Chandigarh.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Rajesh Verma, Advocate for the Petitioner.

Mr. J.S. Chahal, Advocate for U.T., Chandigarh
assisted by ASI Mohan Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Kuljeet Singh in case FIR No.366 dated 29.11.2015 for offence punishable under Section 304 of Indian Penal Code registered with Police Station Sector 31, U.T., Chandigarh.

In the eye witness account of complainant Hardeep Kumar, his friend was going on his Aactiva Scooter when an Innova Car being driven by the co-accused Kanwar Preetpal @ Preet and the present petitioner sitting besides him hit the scooter from behind and pulled the scooter upto 100 meters to the slip road resulting into death of Ravi Sharma.

The allegations against the petitioner is that he had uttered the

following words to his co-accused:-

“ *You have done a good job to hit him he was riding
his Activa in the middle of the road and as if the whole road
was his father's property.* ”

Learned Counsel for the petitioner contends that from the mer
alleged utterance no offence is made out. That apart he submits that
petitioner is in custody since 29.11.2015 and after completion of
investigation challan has been presented.

Learned Counsel for the U.T. Assisted by ASI Mohan Singh
submits that his subsequent conduct of not removing the injured Ravi
Sharma to the hospital disentitles him to the grant of regular bail. He
further did not dispute the remaining factual situation.

Without going into the merits of the case, keeping in view the
custody period and the fact that challan has been presented and the trial is
not likely to be concluded in near future, present petition is allowed and the
petitioner Kuljeet Singh is ordered to be released on bail to the satisfaction
of learned CJM/Duty Magistrate, Chandigarh.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 11, 2016
Vinay