

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-15571 of 2016 (O&M)
Date of decision : 18.11.2016

Rahul

... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Amandeep Singh, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG, Punjab.

Mr. Sandeep Kumar, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

This is a petition filed by the petitioner seeking regular bail in FIR No. 166 dated 11.06.2015 registered at Police Station Salem Tabri, Distt. Ludhiana under Sections 304-B, 314, 34 IPC.

Petitioner is the husband who is in custody since 07.07.2015. The wife was dropped at her parents house on 08.06.2015 and it is the family who had taken the girl to the hospital.

On the last hearing the Investigating Officer was present in the Court he was asked to inform as to whether he had collected any record from the first hospital. It was stated that the record was not collected, the case was adjourned for today. No record has been produced today. Learned State counsel informs that the statement of the Doctor was recorded on 14.11.2016.

The police cannot start the investigation or record statements. The trial is already on. The Investigating Officer was only to collect the record from Kataria Hospital. It is not in dispute that the girl was brought to the hospital by her family on 08.06.2015. The FIR has been lodged on 11.06.2015. The statement placed on record by the petitioner shows that the doctor had given his opinion that the death was due to multi-organ failure. The trial is taking time. The petitioner is

in custody for more than one year and four months.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

November 18, 2016
M.Negi

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No