

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17151-2016 (O & M)

Date of decision:22.06.2016

Major Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. S.S. Rangi, Advocate,
for the petitioner(s).

Mikhail Kad, AAG, Punjab.

HARINDER SINGH SIDHU, J. (ORAL)

The petitioner seeks bail in case FIR No.54 dated 08.06.2011, under Sections 302/34 IPC, Police Station Khamanon, District Fatehgarh Sahib.

Learned counsel for the petitioner submits that the other two accused namely Sukhdeep Kaur and Paramjit Kaur after trial were acquitted vide judgment of Additional Sessions Judge, Fatehgarh Sahib dated 24.07.2015. The petitioner had absconded and he was declared proclaimed offender.

Based on the evidence, learned Additional Sessions Judge, Fatehgarh Sahib, concluded that the medical evidence did not substantiate that the death of the deceased was a murder and was caused by someone by giving him electric shock. It was concluded on the basis of the evidence that there was the least possibility of causing murder by someone having given electric shock. The greater chances were that the deceased-Gurnam Singh himself suffered the electricity shock by touching a live wire by accident. Thus, the accused Sukhdeep Kaur and Paramjit Kaur were

acquitted of the charge by giving them benefit of doubt.

The petitioner surrendered before the Chief Judicial Magistrate, Fatehgarh Sahib, on 07.11.2015 and he is in custody since then.

Learned State counsel states that the supplementary challan has been filed against the petitioner. However, no fresh material has been brought forth against the petitioner and the trial is yet to start.

In view of the aforesaid facts and circumstances, I deem it to be a fit and appropriate case to grant bail to the petitioner.

Accordingly, the petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Fatehgarh Sahib.

(Harinder Singh Sidhu)
Judge

22.06.2016
sukhpreet