

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

CRM-M No. 20446 of 2015 (O&M)

Date of Decision: 02.05.2016

Hardeep Singh alias Deepa

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Aman Dhir, Advocate
for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Amar Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 439 of the Code of Criminal Procedure, is for grant of regular bail on behalf of the petitioner/accused-Hardeep Singh alias Deepa in case FIR No. 19, dated 11.03.2015, for offences punishable under Sections 304/34 of the Indian Penal Code (later on added Section 379, IPC and Section 21 (3), Mines and Mineral Development and Regulation Act, 1957 in challan under Section 173 Cr.P.C.), registered at Police Station Gidderbaha, District Muktsar.

As per the case of prosecution, on 08.03.2015 at around 8/9.00 a.m., co-accused/non-applicant-Baja Singh (driver) took tractor trolley of the petitioner/accused-Hardeep Singh alias Deepa for bringing sand and was accompanied by his son, namely Raja Singh, while loading the sand on the tractor, the death of Raja Singh has occurred since he was sleeping in the trolley without knowledge of anybody.

It is contended that all the co-accused persons have since been granted regular bail and the petitioner is stated to be in custody since 17.03.2015. It is further contended that challan has been presented.

Learned State Counsel, assisted by ASI Amar Singh, does not dispute the custody period of the petitioner, presentation of challan, as also the bail of rest of the accused persons.

Without commenting on the merits of the case, keeping in view the facts noticed above; custody period of the petitioner; parity of treatment and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

May 02, 2016

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**(JASWANT SINGH)
JUDGE**