

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-25863 of 2016

.....

Date of decision:26.8.2016

Mandeep Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Dinesh Nagar, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

Mr. Kamaldeep Singh Sodhi, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.8 dated 26.1.2016 (Annexure-P.1) registered at Police Station Hariana, District Hoshiarpur for the offences under Sections 302, 452, 323 and 34 IPC (however, after investigation Section 302 IPC was deleted and replaced with Section 304 IPC), as challan was presented only for the offences under Sections 304, 452, 323 and 34 IPC.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Kamaldeep Singh Sodhi, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Punjab appearing for the respondent-State and learned counsel for the complainant-respondent No.2 and have gone through the record.

As per the post-mortem report, no external or internal injury was found on the body. As per the report of Dr. Namrata Puri, which is on the Police file, the cause of death in this case was due to heart attack and not due to any injury. The present petitioner has been in custody since 28.1.2016. The challan has already been presented. The charges have already been framed. The petitioner is not required for interrogation or investigation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

August 26, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No