

CRM-M-30934-2016

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

CRM-M-30934-2016

Date of Decision: 06.10.2016

Amrik Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Ms. Shivali, AAG, Punjab.

INDERJIT SINGH, J.

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, registered at Police Station Haryana, 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. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the allegations in the FIR,

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the present petitioner gave *daat* blow on the thumb of right hand of complainant-Naresh and also gave number of kick blows on the testicles of father of complainant. As per the post-mortem report, no external or internal injury was found on the body of deceased Hakumat Rai. As per the report of Dr. Namrata Puri, which is placed on record as Annexure P-4, 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 28.01.2016. He is not required for any investigation or interrogation 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.

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 regular bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

06.10.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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