

**Sr. No. 215
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No. M-33923 of 2015
Date of decision: 18.01.2016**

Gurpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Amaninder Singh Sekhon, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, Assistant Advocate General,
Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in FIR No.14 dated 07.03.2015 under Sections 304/337/338/427 of the Indian Penal Code, registered at Police Station Sadar Faridkot, District Faridkot.

Counsel for the parties have been heard.

The present petitioner was the driver of a bus. As per prosecution version, the bus driven by the petitioner struck against an army vehicle and in such accident four lives were lost and a number of persons had received injuries.

Petitioner has been in custody since 25.03.2015.

Investigation in the case having been completed. Challan was presented and even charges have been duly framed. It has gone

uncontroverted that even the statement of the complainant who was also an eye witness to the accident has already been recorded by the trial Court.

It is the contention raised by learned counsel appearing for the petitioner that ingredients of offence under Section 304 IPC would not even be made out. He further submits that at best it was a case of rash and negligent driving and which would attract offence under Section 304-A IPC.

It is not the case made out on behalf of the State that in case the petitioner is admitted to regular bail he would be in a position to hamper the course of trial.

In view of the above and coupled with the period of incarceration already suffered by the petitioner, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Faridkot.

Disposed of.

January 18, 2016

Vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**