

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

CRM-M No. 43006 of 2016
Date of decision : December 16, 2016

Chamkaur Singh

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sumeet Puri, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.53, dated 15.6.2016, registered under Sections 302, 148, 149, 34 of the IPC, at Police Station Rureke Kalan, District Barnala.

At the very outset, counsel for the petitioner states that in the last order it has been inadvertently wrongly mentioned that the dead body of the deceased was discovered on the next morning. Actually, the deceased was found on the next morning and taken to the hospital where

he died in the night.

Learned Addl. AG Punjab, on instructions from ASI Gursewak Singh has accepted these factual assertions.

Apart from the arguments raised on the last date, counsel for the petitioner has argued that even if the case against the petitioner is taken to be correct yet it would be a case under Section 304 Part II and not a case under Section 302 of the IPC. As per him, the petitioner has now been in custody for almost six months.

Learned Addl. AG Punjab, however, states that the petitioner has been in custody for 5 months and 6 days.

Be that as it may, without commenting upon the merits of the case, and keeping in view the facts and circumstances of the case, and the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

(AJAY TEWARI)
JUDGE

December 16, 2016
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Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No