

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

CRM-M-44392 of 2016 (O&M)

Date of decision: 20.12.2016

Manpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Malkiat Singh, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.54 dated 17.04.2015, registered under Sections 302 and 201 of IPC, at Police Station Sadar Khanna, District Ludhiana.

It is contended that the petitioner has been involved in the present FIR only on the premise of last seen. In fact, it was a case of road accident. The injury was suffered on 07.03.2015. The petitioner was removed to hospital and was subsequently discharged on 12.03.2015, whereas the death took place on 14.03.2015. Initially, no FIR was registered and it was only after the death, the present FIR has been registered on 17.04.2015. The deceased died due to septicemia and on account of lack of medical facilities and

negligence of the deceased. This fact is duly noticed in the post mortem report of the deceased (Annexure P-3). The petitioner is in custody since 19.04.2015.

On the other hand, learned State counsel opposes the bail application and states that the petitioner has been specifically named in the FIR and in pursuance of the statement made by him, the mobile phone of the deceased was recovered from the petitioner.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the petitioner is in custody since 19.04.2015; as per the post mortem report the cause of death was septicemia after the deceased had been discharged from the hospital; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

20.12.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No