

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

CRM-M-45254 of 2016 (O&M)

Date of decision: 23.12.2016

Balwant Singh @ Banta @ Banti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

Mr. Mehardeep Singh, Addl. A.G., 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. 15 dated 21.04.2016, registered under Section 304 read with Section 34 of IPC, at Police Station Kalanaur, District Gurdaspur.

It is contended that as per post mortem report, the death occurred due to cardiac arrest. The complainant stands examined. The deceased was real brother of the petitioner. The petitioner is in custody since 21.04.2016.

On the other hand, learned State counsel opposes the bail application.

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

Considering the fact that the petitioner is in custody since 21.04.2016, the investigation stands concluded; the challan stands presented; out of total 13 PWs, only 02 PWs have been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future, 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.

23.12.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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