

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

**CRM-M-20688-2017
Date of decision: 27.07.2017**

Darshan Singh @ Kokli

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P.S. Sekhon, Advocate,
for the petitioner.

Mr. A.P.S. Gill, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 142 in cross DDR No. 2 dated 06.10.2016, registered under Sections 307, 323, 506, 341, 148, 149, 427, 201 and 354 of the Indian Penal Code at Police Station Lehra, District Sangrur, who is in custody since 23.11.2016.

Counsel for the petitioner contends that initially an FIR was lodged at Police Station Lehra, District Sangrur, under Sections 307, 323, 506, 341, 148, 149 of the IPC and Sections 3 and 4 of SC/ST (Prevention of Atrocities), 1989. It is argued that in the statement, the name of the petitioner was not reflected as a person who had caused injuries. It is only in the supplementary statement recorded on 12.11.2016 (Annexure P-5), giving information regarding the death of Gurdev Kaur, w/o Lal Singh, that the name of the petitioner was reflected. It is argued that no specific role has been attributed to the petitioner as a person who was responsible for causing the death of Gurdev Kaur. It is also argued that the PMR (Annexure P-3)

would show that the deceased was suffering from bed sore on lower back, left leg fracture as well as swelling in right leg, whereas, the cause of death reflected in Annexure P-4, after a period of almost one month has been given as refractory shock, right lower limb deep vein thrombosis, hospital acquired pneumonia, fracture of both bones as well as old cerebra vascular accident.

On the contrary, Counsel for the respondent-State submits that as per the Medical Board of Govt. Multi Specialty Hospital, Sector 16, Chandigarh, the cause of death has been held to be septicemia due to the injuries suffered by the deceased.

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

In view of the fact that no specific allegations are there; no specific injury has been attributed to the petitioner; investigation is complete and challan has been presented, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, any observation made herein will not be construed to be observation on the merit of the case which is to be decided on its own merits and evidence available.

July 27, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No