

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-33570 of 2016
Date of Decision: 18.01.2017

Charan Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gulzar Mohammad, Advocate
for the petitioner.

Mr. Daljeet Singh Virk, A.A.G., Punjab.

Mr. Amit Dhawan, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 177 dated 28.08.2016 registered for the offences punishable under Sections 304 of Indian Penal Code (for short 'IPC'), at Police Station Nakodar, District Jalandhar.

Heard.

As per allegations of complainant, on 28.08.2016, at about 08.00 a.m., he alongwith certain other persons were cleaning the choked drain. The petitioner his wife protested and stopped the complainant and other persons from cleaning the choked drain. In the meanwhile, the petitioner took out his swift car in reverse gear at high speed and hit father of the complainant, who fell down and was taken to Civil Hospital, where he was declared as brought dead.

of injury on the person of deceased-Darshan Lal. In viscera report, cause of death of deceased-Darshan Lal is declared as cardiac arrest. The matter is still under investigation and apparently, there was no mark of external injury on the person of deceased.

Keeping in view above facts but without expressing any opinion on the merits of the case, this petition is allowed and order dated 18.10.2016 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

January 18, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No