

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

**CRM-M-33457-2017
Date of decision: 21.09.2017**

Jagdev Singh and another

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Mr. M. S. Nagra, AAG, Punjab.

Mr. Bhavyadeep Walia, Advocate
for the complainant.

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 petitioners herein in case FIR No. 142 dated 05.10.2016, under Sections 307, 323, 506, 341, 148, 149, 427, 201 and 354 of the Indian Penal Code (Section 302 IPC added later on) & Sections 3 and 4 of the SC/ST Act in cross DDR No. 2 dated 06.10.2016, registered at Police Station Lehra, District Sangrur.

It is contended by the counsel for the petitioners that the petitioners have falsely been implicated in this case and they are in custody since 13.11.2016. It is argued that no specific role has been attributed to the petitioners as the persons who were 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. It is also submitted that co-accused Darshan Singh @ Kokli has already been granted regular bail by this Court by an order dated 27.07.2017 passed in CRM-M-20688-2017.

Mr. M. S. Nagra, AAG, Punjab, has appeared on behalf of respondent-State and contested the bail application. He submits that the investigation is complete and the challan has been presented.

I have heard learned counsel for the parties and have also perused the paper book.

In view of the fact that no specific allegations are there; no specific injury has been attributed to the petitioners; investigation is complete and challan has been presented, the present petition is accepted and the petitioners are ordered to be released on regular bail on their 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 merits of the case which is to be decided on its own merits and evidence available.

21.09.2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No