

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

CRM -M-3617 of 2017 (O&M)

Date of decision: 14.03.2017

Navtej Singh @ Sonu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. GBS Dhillon, 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. 251 dated 27.10.2015, registered under Sections 323, 328, 341, 306, 307 read with Section 34 of IPC, at Police Station City Jagraon, District Ludhiana Rural.

It is contended that initially the FIR was registered under Sections 323, 328, 341, 307 read with Section 34 of IPC. Subsequently, upon the death of Balbir Singh, Section 302 of IPC was added. However, ultimately, the challan has been filed under Section 306 of IPC. He further contends that the deceased being driver had stolen a tyre from another truck. When he was confronted by the truck union, he felt ashamed and committed suicide. The learned counsel refers to post mortem report Annexure A-1, to contend that except a bruise on the right

eye brow, there was no other injury found on the person of the deceased.

On the other hand, learned State counsel opposes the bail application and submits that there are specific allegations against the petitioner that he administered poison to the deceased. As per the viscera report, the death occurred due to poisonous substance.

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

Keeping in view the divergent view taken by the investigating agency with regard to allegations qua the petitioner; challan stands presented; charges have been framed; out of total 16 PWs, none has been examined so far; 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.

14.03.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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