

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

**CRM No.M-37578 of 2017 (O&M)
Date of Decision: October 13, 2017**

Kamaljit Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.A.P.S.Deol, Senior Advocate with
Mr.H.S.Mavi, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.141 dated 30.07.2017 under Sections 302 and 34 IPC, registered at Police Station Sadar Tarn Taran, District Tarn Taran.

Notice of motion.

Mr.K.S.Aulakh, Deputy Advocate General, Punjab, has put in appearance on behalf of the respondent-State and contested the petition. Mr.Dilpreet Singh Gandhi, Advocate for Mr.C.S.Bakshi, Advocate appeared on behalf of the complainant, filed Vakalatnama and also contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that in the present case, the occurrence

took place on 23.11.2015 and DDR has been got registered on 24.11.2015

by the present complainant Jashanbir Singh, who stated that his father used to remain ill and used to go away from house without telling anyone and his father died suddenly due to natural death. No injury has been mentioned in the post-mortem examination report nor anything came to light in the inquest report that death is unnatural. The viscera was sent and no poison was found in the viscera also.

Now, after about two years, the present FIR has been got registered by same complainant, who got recorded the DDR i.e. Jashanbir Singh son of the deceased by levelling allegations against the present petitioner and co-accused that they kidnapped his father and killed him.

The petitioner has been in custody since 30.07.2017. The trial of the case will take long time. The petitioner is not required for any investigation or interrogation purposes as he is in judicial custody. No useful purpose will be served by keeping the petitioner in custody till disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that the petitioner is entitled to benefit of regular bail. Therefore, the present petition stands allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

October 13, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No