

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-40211 of 2016

Date of decision : May 10, 2017

Sukhdev Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. HS Randhawa, Advocate for
Mr. PS Ahluwalia, Advocate, for the petitioner

Mr. Rupam Aggarwal, DAG, Punjab, for the respondent/State

Fateh Deep Singh, J. (Oral)

Learned State counsel has placed on record opinion of the Medical Board.

The allegations against petitioner Sukhdev Singh are that on the complaint of Rajinder Kaur mother of deceased Paramveer Singh the present case was registered on the allegations that co-accused Gurmeet Singh on 11.10.2016 has taken away in a vehicle along with Sukhdev Singh and Balbir Singh alias Bira, Paramveer Singh and his friend and subsequently thereafter their dead bodies were recovered leading to

registration of present case.

The contentions of counsel for the petitioner are that from the medical evidence relied upon by the prosecution does not bears any unnatural death as also from the report of the Medical Board which has been placed on record by the learned State counsel.

Though on behalf of the State, bail has been opposed by the learned State counsel but has conceded the fact that till date nothing tangible has come against the petitioner and that co-accused Gurmeet Singh and Balbir Singh alias Bira have been allowed regular bail by the learned Sessions Judge through orders dated 21.3.2017.

Appreciating the submissions of the two sides, in the light of the stand of the State, opinion of the Medical Board and without adverting to the merits and the fact that culpability if any shall be determined at the time of trial, it would be traversity of justice to send the petitioner behind bars.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The observations made herein above shall not be binding on

the trial court at the time of trial as these are purely for the disposal of the present bail application.

May 10, 2017
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(Fateh Deep Singh)
Judge

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>