

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

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CRM-M-41650-2017

DATE OF DECISION:20.12.2017

MALKEET SINGH ALIAS MAKIAT SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, Asstt. A.G., Punjab.

Mr. A.G.S. Dhillon, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 57, dated 11.06.2017, under Sections 304, 323, 120-B, 148, 149 IPC, registered at Police Station Banur, District Patiala.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that the petitioner was also accompanying the other accused, who had allegedly picked up the deceased and thrown him against the wall. He is stated to have fallen unconscious and later died. Learned counsel further contends that as per the post mortem report, there were no external injuries on the person of the deceased. Learned counsel also contends that the petitioner is in custody since 14.09.2017.

Learned State counsel has filed the affidavit of Medical Officer, A.P. Jain, Civil Hospital, Rajpura, which is taken on record. It is mentioned in the affidavit that the post mortem examination of

the deceased was conducted on 12.06.2017 and on thorough examination of the body while conducting autopsy, the cause of death was not found out as no detectable injury was present on external or internal organs except an abrasion on right elbow. The viscera had been sent to chemical examiner on the same date to ascertain the cause of death but it could not be ascertained as nothing was detected which could declare the actual cause of death. Learned State counsel also states that the investigation has been completed and the challan has been presented.

Heard.

In view of the submissions of learned counsel for the petitioner especially when no internal and external injuries were found on the body of the deceased and the cause of death could not be ascertained and the conclusion of the trial is likely to take some time, I deem it a fit case to grant concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner, namely, Malkeet Singh @ Malkiat Singh is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate.

20.12.2017*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned :	Yes / No
Whether reportable :	Yes / No