

255.

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

CRM-M-43270-2017

Date of decision:20.12.2017.

SANJIV KUMAR @ BAU

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Dilpreet Singh Gandhi, Advocate,
for the petitioner.

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

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.71 dated 23.03.2017 under Sections 302/201/34 of IPC, registered at Police Station Chhehartta, District Amritsar.

Learned counsel for the petitioner states that it is on account of death of Sahib Singh, the petitioner is in custody though there is no allegation against him in the FIR. No role has been attributed to him, but he is victimized for the reason that Sahib Singh died in the house of the petitioner. So in the absence of any motive attributed to the petitioner, he deserves to be admitted on bail. Petitioner is in custody since 31.03.2017 and the trial in the case will take sufficient long time.

On the other hand, learned State counsel states that Sahib Singh died in the house of the petitioner and since the petitioner along with his mother had tried to dispose of the body of the deceased, the petitioner has been booked in the case.

I have heard learned counsel for the parties.

Considering the fact that there is no direct allegation against the petitioner that he ever administered poison to the deceased Sahib Singh and he is in custody since 31.03.2017, coupled with the fact that the trial in the case will take sufficient long time, petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

Accordingly, present petition stands allowed.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

20.12.2017
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No