

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-31369-2018

Date of decision: 31.07.2018

Charanjit Singh Charni

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. GS Sandhu, Advocate for the petitioner.

Mr. AS Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Charanjit Singh Charni, has prayed for grant of regular bail in case FIR No. 13 dated 18.01.2014 registered under Sections 279, 337, 427, 489 and 412 IPC and Section 181 of the Motor Vehicles Act, 1988 at Police Station Tripuri, District Patiala.

2. According to the prosecution, on 15.01.2014, the petitioner after hitting the motor-cycle bearing registration No. PB-11-AX(T)-5049 of complainant-Dalwara Singh, while driving Swift D'zire car bearing registration No. CH-03-N-3964, fled away from the spot. Subsequently, brother of the petitioner was arrested in case FIR No. 47 dated 16.02.2014, under Sections 365, 356, 354 read with Section 34 and Section 120-B IPC, Police Station Mandi Gobindgarh, who in his disclosure statement disclosed that he and his brother-Charanjit Singh Charni (petitioner herein) had caused accident with the aforesaid motorcycle of the complainant on

petitioner, the petitioner was arrested on 25.06.2018.

3. Learned counsel for the petitioner *inter alia* contends that it is a road side accident case. Petitioner was not arrested at the spot. Final report under Section 173(2) Cr.P.C. has already been filed in the trial Court. No recovery has to be effected from the petitioner. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail.

4. On the other hand, learned State counsel vehemently opposed the submissions made by learned counsel for the petitioner.

5. Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Charanjit Singh Charni, is ordered to be released on bail pending trial, on his furnishing bail bonds and surety bonds, to the satisfaction of trial Court/Duty Magistrate concerned.

July 31, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No