

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

CRM-M No. 49243 of 2018

Date of decision : 07.12.2018

Manpreet Singh and another

.....Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Rishu Mahajan, Advocate for the petitioners.

Mr. Amit Mehta, Senior DAG, Punjab.

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DAYA CHAUDHARY, J.

Petitioners Manpreet Singh and Harpreet alias Happy have approached this Court by way of filing the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to them in case FIR No.36 dated 03.03.2018 under Sections 452, 306, 323, 379, 148, 149 of the Indian Penal Code, 1860, registered at Police Station – Rama Mandi, Distt. Jalandhar, during pendency of the trial.

Learned counsel for the petitioners submits that the case of the petitioners is at par with co-accused Kuldeep Kumar, who has approached this Court by way of filing CRM-M No.23436 of 2018 and has been released on regular bail vide order dated 17.11.2018. Learned counsel also submits that no suicide note was recovered from the body of the deceased and even no offence is made out under Section 306 IPC. The DDR was got

recorded at the instance of driver of the train by saying that it is a case of accident. Challan has been presented and out of total 23 prosecution witnesses, even a single witness has not been examined so far. Petitioners are in custody since 17.07.2018.

Learned State counsel has not disputed the custody period and the stage of the trial.

Heard arguments of learned counsel for the petitioners as well as learned State counsel. I have also perused the contents of the FIR and other documents available on the file.

Keeping in view the parity with co-accused Kuldeep Kumar, who has been released on regular bail and also by considering the custody of the petitioners since 17.07.2018 as well as the stage of the trial, the present petition is allowed and the petitioners are directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

07.12.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No