

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CrI. Misc. No. M-5411 of 2018
Date of Decision: March 13, 2018

Deepak Sharma

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Manoj Kumar, Advocate
for the petitioner

Mr. Amandeep S. Gill, Sr. DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 16 dated 23.01.2017, registered under Sections 302, 323, 324, 452, 148, 149 IPC at Police Station City Rajpura, District Patiala.

Learned counsel for the petitioner submits that the petitioner is alleged to have caused simple injury on the hand of the injured person namely Amrinder Singh. The death was not caused by the petitioner and the complainant as well as the injured person and the eye witness have turned hostile during the trial. The petitioner has been in custody since 23.01.2017 and the trial is not likely to be completed in the near future. There is no other case pending against the petitioner and, therefore, he deserves to be granted concession of regular bail.

Learned State counsel submits that the petitioner was part of unlawful assembly which caused death of Mange Ram and, therefore, he is not entitled to grant of bail. However, it is not disputed that the investigation is complete and that the trial has commenced.

Keeping in view the fact that the trial has commenced and that the same is not likely to be completed at an early date, no useful purpose would be

served by keeping the petitioner in custody, especially in view of the fact that the complainant, the injured person as well as eye witness have turned hostile and also that the petitioner is not alleged to have inflicted any injury on the deceased.

Accordingly, the petition is allowed. Petitioner – Deepak Sharma is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

March 13, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No