

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.215

CRM-M-1042-2019

Date of decision : 16.1.2019

Gurmej Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. LM Gulati, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab

Mr. Ashish Aggarwal, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.179 dated 13.11.2018, registered at Police Station Kamboj, District Amritsar, under Sections 304-A IPC and subsequently, added Section 304 IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody for almost 02 months now. The investigation is complete, but charge has not yet been framed. Thus, the trial is not likely to be concluded at an early date. The petitioner is not a criminal and the only allegation against him is that he was negligent in performing his duty. In case the same is proved, he would be punished for the same, but keeping in view the fact that the trial is not likely to be concluded at an early date, the petitioner may be released on regular bail.

Custody certificate dated 16.1.2019, by way of affidavit of Sh. RK Arora, Deputy Superintendent, Central Jail, Amritsar, has been filed by the learned State counsel in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 02 months and there is no criminal case pending/decided against him.

The factual submissions made by counsel for the petitioner have not been controverted by learned State counsel.

Keeping in view the facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Gurmej Singh, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

16.1.2019
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No