

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

CRM-M-8509-2019 (O&M)
Date of decision : 21.05.2019

Simar Singh @ Simarpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. L.M. Gulati, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail to the petitioner in FIR No.22 dated 13.03.2017, registered under Sections 304 and 34 of the Indian Penal Code, at Police Station Ramdass, District Amritsar Rural.

Learned counsel for the petitioner contends that the petitioner is in custody since 18.07.2017 and as per report of FSL Annexure P-2, no poisonous substance was found on examination. He further drew attention of the Court to postmortem report Annexure P-3 to contends that the deceased Shamsher was having the needle prick marks with thrombosed veins over left elbow and needle mark over left wrist joint on the medial aspect. He further submits that the investigation is complete, challan has been presented, charges have been framed and even complainant has been examined.

On the other hand, learned counsel appearing on behalf of State on instructions from Takwinder Singh, ASI has submitted that there is revised opinion of Forensic Science Laboratory wherein it has been opined that death may be due to some poisonous substance.

It is not disputed that revised opinion is not definite.

Without commenting on the merits of the case and keeping in view the custody of the petitioner, as also fact that the conclusion of the trial is likely to take time, petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Amritsar Rural.

Accordingly, the present petition is allowed.

21.05.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No