

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-37222 of 2019
Date of Decision: October 15, 2019.

Jagdish SinghPetitioner
versus
State of PunjabRespondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU.

Present: Mr.Chandan Singh Rana, Advocate, for the petitioner.
Mr.V.G.Jauhar, Senior DAG, Punjab.

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Mahabir Singh Sindhu, J.

The present petition under Section 439 Cr.P.C. has been filed praying for grant of concession of regular bail pending trial to the petitioner in case FIR No.35 dated 21.04.2019, registered under Section 304 IPC at Police Station Sadar Raikot, District Ludhiana.

The case of the prosecution is that due to the illegal acts of the the petitioner and his wife Jyoti, the brother of the complainant suffered heart attack due to which he died in the hospital.

Contentends that co-accused of the petitioner, namely, Jyoti who is wife of the petitioner, has already been granted concession of bail and allegations against the petitioner are similar in nature. Also contends that this is a case of cardiac failure and the petitioner is in custody since 06.04.2019.

The above factual position is duly acknowledged by learned State counsel, on instructions from ASI Jaswinder Singh.

Heard both sides and perused the paper book.

Since the petitioner is in custody since 06.04.2019, co-accused of the petitioner has already been granted bail and out of total 17 prosecution witnesses, none has been examined, till date; thus, the trial will take sufficient long time. Therefore, further incarceration of the petitioner will not serve any useful purpose.

In view of the above-said circumstances, without expressing any opinion on the merits of the case, this petition is accepted and the petitioner- Jagdish Singh be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

The petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

October 15, 2019
mohinder

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No