

CRM-M-53105-2018

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

CRM-M-53105-2018 (O & M)

Date of Decision: 24.01.2019

Ravinder

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Priyanka Dalal, Advocate,
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. D.S.Matya, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

CRM-45024-2018

Allowed as prayed for, subject to all just exceptions.

Annexure P-5 (colly.) is taken on record.

CRM-2361-2019

Allowed as prayed for, subject to all just exceptions.

Annexure P-6 (colly.) is taken on record.

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Petitioner has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.494 dated 27.12.2016, registered at Police Station Sector-40, Gurguram, under Sections 302, 323, 452, 506 and 34 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel has

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appeared on behalf of respondent-State and complainant has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

From the record, I find that firstly, fist blows to the deceased are attributed to the present petitioner. Secondly, as per the medical opinion, the external injuries in itself were not sufficient to cause death. The cause of death was due to shock from sudden cardiac arrest. Further, the petitioner has been in custody since 22.01.2017 i.e. for the last two years. It is also stated that the private witnesses have already been examined and now, there is no chance of tampering with the evidence.

The petitioner is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. Therefore, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

24.01.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No