

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 2836 of 2020
Date of Decision: 29.1.2020**

Rahul Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. M.S.Kathuria, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 206 dated 5.10.2018 under Sections 302/34 IPC registered at Police Station Daresi, District Ludhiana.

Learned counsel for the petitioner drawn the attention of this court to Annexure P-2 (MLC Form), Annexure P-3 (Initial Assessment Form) and Annexure P-4 (MLC Form) in which, it has been stated that the patient of road side accident was admitted in the hospital. These documents are signed by Dr. Abha Sharma who appeared as PW1 and that in her cross-examination (Annexure P-5), she has stated that the deceased was brought to the hospital by his father, Sham Bahadur Yadav, as per which Sham Bahadur Yadav reported that his son received injuries on road side accident. He further submits that the co-accused has been granted regular bail by this Court vide order dated 16.12.2019 and the petitioner has been in custody since 6.10.2018.

Learned State counsel, on instructions from ASI Jagdeep Singh, submits that out of 14 prosecution witnesses, 02 witnesses have been examined.

The petitioner has been in custody since 6.10.2018. The co-accused has already been granted regular bail by this Court. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

January 29, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No