

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 7809 of 2020
Date of Decision: 27.2.2020**

Gurdeep Singh alias Kalu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. K.L.Saini, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 14 dated 9.2.2019 under Section 304 IPC registered at Police Station Sadar Raikot, District Ludhiana.

Learned counsel for the petitioner submits that petitioner has been in custody since 11.2.2019 and the occurrence took place when the petitioner was playing cards in the park and suddenly Mukhtiar Singh instigated him and one punch blow was given by the petitioner on the left side of the neck of Mukhtiar Singh. Learned counsel further submits that PW-2 Buta Singh, who is the eye witness, has specifically stated that Mukhtiar Singh had died at his house. Learned counsel has drawn the attention of this Court towards the statement of Dr. Harpreet Singh, Medical Officer who appeared in the witness box as PW-4 and stated that the cause of death in this case is natural and in report Ex. PC no injury is declared or found.

submits that out of 11 prosecution witnesses, 05 witnesses have been examined. He has further pointed out that PW-4 Dr. Harpreet Singh, in his cross-examination has stated that in this case the possibility of death due to fist blow cannot be ruled out.

The petitioner has been in custody since 11.2.2019. Out of 11 prosecution witnesses, only 05 witnesses have been examined. 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

February 27, 2020
Gurpreet

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