

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

Sr. No.206-a

CRM-M-17788-2020

DATE OF DECISION: 17.09.2020

BALWINDERE KUMAR @ KAKA

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ritesh Pandey, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 41 dated 23.08.2019 registered at Police Station Behrampur, District Gurdaspur, under Sections 304 & 120-B IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody for over 01 year as on date. The trial is not likely to be concluded at an early date as only 05 PWs out of a total of 13 PWs have been examined. There is no other criminal case pending against him. The complainant stands examined and she has not named the petitioner. Thus, the petitioner deserves to be granted regular bail.

Custody certificate dated 16.09.2020 has been submitted in Court. The same is taken on record. According to this certificate, the petitioner has undergone actual custody of 01 year and 21 days and there is no other criminal case pending against him.

Learned State counsel accepts the submissions made on behalf of the petitioner.

A perusal of the FIR reveals that according to the complainant the deceased had accompanied the petitioner and others from his house and he had also been accused of consuming liquor along with the deceased and fighting with him which resulted in his death due to drowning in a nearby drain. However, while appearing as PW-3, she has not stated a word against the petitioner. The petitioner has been in custody for 01 year and 21 days and there is no other criminal case pending against him. The trial is not likely to be concluded at an early date and thus, interest of justice demands that he be granted regular bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

17.09.2020
Ankur

(SUDHIR MITTAL)
JUDGE

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