

CRM-M-18789-2020

Date of decision: 31.07.2020

GURDEEP SINGH

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ranjivan Singh, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Briefly, the FIR bearing No.284 dated 10.06.2019 under Sections 302/341/323 and 34 IPC (initially under Section 279/304-A, IPC) at Police Station Pehowa, District Kurukshetra has been registered on the basis of the statement of Rakesh Kumar alleging that on 10.06.2019 his cousin Arvindra was run over by a tractor being driven by the petitioner and it resulted in his death.

Accordingly, at the first instance, the case was registered under Sections 279 and 304-A IPC. Subsequently, Pardeep Kumar, the brother of the deceased had submitted an application on 11.06.2019 wherein it was alleged that the deceased was killed by the petitioner while he was hit with the tractor.

It has been contended by the learned counsel for the petitioner that the arrest of the petitioner was effected on 15.06.2019 and there is no other case pending against the petitioner.

Learned State counsel has pointed out that the charge under Section

and trial is in progress.

It shall not be out of the place to mention here that under the peculiar circumstances it becomes debatable as to whether the offence falls under Seciton 302 or 304 or 304-A IPC. The custodial interrogation of the petitioner is over, the investigation of the case is complete and the challan has already been presented. The conclusion of the trial is likely to take sometime,sufficient grounds are made out to extend the concession of bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

31.07.2020
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(VIVEK PURI)
JUDGE

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