

219

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

**CRM-M No.51710 of 2019
Date of Decision: 04.03.2020**

Rajinder Kumar @ Rajinder Singh
.....Petitioner

Vs

State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashish Verma, Advocate
for the petitioner.

Mr. J.S. Ghumman, AAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.151 dated 01.07.2018 registered under Sections 304, 323, 148, 149 IPC at Police Station Civil Lines, Patiala.

Prosecution story started with the allegations that on 05.06.2018, a quarrel took place between the son of the complainant namely Supinder Singh on one hand and accused Rohit, Rajinder Kumar Rammu and Gaurav along with 2-3 unknown persons on the other hand. The accused party alleged

to have given several injuries on stomach, left arm and other body parts of the son of the complainant. Supinder Singh was hospitalized on 06.06.2018, wherein his statement was recorded by the police and he did not implicate the petitioner in his statement.

FIR was registered thereafter on 01.07.2018 with general allegations against all the accused persons namely Rohit, Rajinder Kumar Rammu, Gaurav and 2-3 unknown persons. Supinder Singh was discharged from the hospital on 19.06.2018 in a satisfactory condition. He was again hospitalized on account of some problem and it was recorded that he was brought dead on 30.06.2018. The cause of death is stated to be Septicemia.

Learned counsel for the petitioner submits that Supinder Singh died for want of timely medical aid. He was discharged from the hospital in a very satisfactory condition on 19.06.2018. During the period of 11 days, he was not provided best medical aid and he died due to Septicemia on that score. There was negligence on the part of the family members of Supinder Singh. Co-accused Aman Kumar and Gaurav Kumar have already been granted regular bail by this Court vide order dated 19.09.2019 passed in CRM-M No.321 of 2019. Co-accused Rohit Kumar has also been granted regular bail by this

Court on 18.02.2020 in CRM-M No.6410 of 2020. Petitioner is entitled for regular bail on parity with that of Rohit Kumar who has surrendered on 07.11.2019, whereas the petitioner has surrendered on 13.11.2019.

Learned State counsel on instructions from ASI Janak Raj states that it is a fact that the petitioner has surrendered on 13.11.2019 and the co-accused have been granted regular bail by this Court.

Looking to the facts and circumstance of the case and without meaning anything on merits of the case, I deem it appropriate to consider the case of the petitioner at par with that of co-accused who have already been granted regular bail by this Court.

Let the petitioner be enlarged on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

Nothing expressed hereinabove, shall be construed to be an expression of any opinion on merits of the case.

04.03.2020

Prince

Whether speaking/reasoned
Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No
Yes/No