

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

**CRM-6027-6028-2021 in/and
CRM-M-1434 of 2021 (O&M)**

DECIDED ON: 1st MARCH, 2021

Dilpreet Singh

.....PETITIONER

VERSUS

Union Territory of Chandigarh

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Abhayjeet Singh, Advocate for petitioner.

Mr. Ashu Mohan Punchhi, PP and
Mr. Anupam Bansal, APP for U.T. Chandigarh.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in FIR No. 211 dated 27.10.2020 under Sections 279, 323, 325, 304, 304-A IPC and Section 3/181 of Motor Vehicles Act, registered at Police Station Sector 34, Chandigarh.

The FIR was outcome of a road accident. In the road accident two persons lost their lives and three persons received injuries.

Learned counsel for the petitioner submits that the petitioner was suffering from epilepsy and had an attack while driving the car. Medical report attached is relied upon. The argument is that no case is made out under Section 304 IPC. The submission is that the petitioner is in custody for almost more than four months.

Reply filed is taken on record.

Learned Public Prosecutor for the U.T. Chandigarh opposes the grant of bail and submits that two lives were lost.

The petitioner is in custody since October, 2020. The investigation is complete. The matter has been committed to Sessions Court for trial but conclusion of trial is likely to take time. There is debatable issue as to invoking of Section 304 IPC. The petitioner is not involved in any other criminal case. Petitioner is directed to be released on regular bail subject to furnishing of surety bond to the satisfaction of trial Court/Duty Magistrate.

The petition is allowed.

However, it is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending criminal miscellaneous applications are rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

1st MARCH, 2021
reema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>