

223

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

**CRM-M-5922-2021 (O&M)
Date of decision-24.03.2021**

Kashmir Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harpreet S. Rakhra, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, D.A.G., Punjab.

Mr. Vaibhav Sehgal, Advocate for the complainant.

MANOJ BAJAJ, J.

The petitioner has filed this petition for grant of regular bail under Section 439 Cr.P.C. in case FIR No.123 dated 06.11.2020 under Sections 304, 148 and 149 of Indian Penal Code, 1860, Police Station Ramdas, District Amritsar. The petitioner is in custody since his arrest on 10.11.2020.

The above case was lodged on the statement of Gurjant Singh son of Jaswant Singh who alleged that his father Jaswant Singh was former Sarpanch of village and was having karyana shop in the village. On 05.11.2020, at about 7.30 PM, he along with his father Jaswant Singh was

returning to their house after closing their shop and his father was going ahead of him. When he reached Haveli, he heard a noise and saw that Kashmir Singh (petitioner), Kulwinder Singh, Gurjit Singh, Rajwinder Kaur, Baljit Singh and Talwinder Singh pushed his father and all of them started giving beatings to his father, who fell down and turned unconscious. He was taken to hospital, where he was declared dead. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner has argued that the victim suffered cardiac arrest and expired by way of natural death. He further submits that the co-accused of the petitioner have already been extended the concession of pre-arrest bail and therefore, the further detention of the petitioner may not be necessary as the investigation of the case is complete. He prays for regular bail.

Learned State counsel assisted by ASI Takwinder Singh as well as learned counsel for the complaint does not dispute this fact that the co-accused of the petitioner are on bail, and the investigation of the case is also complete as the final report was filed before the Court of competent jurisdiction on 23.03.2021.

After hearing the learned counsel for the parties, this Court finds that as the investigation of the case is complete, but the trial is yet to commence and it is likely to consume considerable time to conclude, therefore, the further detention of the petitioner behind bars may not be necessary for any useful purpose, who is in judicial custody since his arrest

on 10.11.2020..

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Amritsar.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

24.03.2021
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No