

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-7080-2021 (O & M)
Date of Decision: March 19, 2021

GORGE @ BIRI

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Piyush Khanna, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.23 dated 19.02.2020, under Sections 304 and 34 IPC subsequently Section 201 IPC, registered at Police Station Dasuya, District Sirsa.

Learned counsel for the petitioner contends that it is alleged in the FIR that son of the complainant did not return home and he learnt that his son along with the petitioner and another accused had been consuming alcohol. The petitioner and co-accused are alleged to have made the son of the complainant consumed alcohol in excess due to which he died. He also contends that the cause of death was consumption of liquor and a needle was also found near the body of the deceased. There is no motive attributed to the petitioner. He is in custody for over a year.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 01 year and 16 days. He upon instructions from ASI Jassa Ram states that the challan has been filed but no prosecution witness has been examined.

In view of the above, especially when no motive was attributed to the petitioner, he is in custody for over 01 year, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

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

(ANUPINDER SINGH GREWAL)
JUDGE

March 19, 2021
A.Kaundal

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