

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

**CRM-M-20705-2021
DECIDED ON: 12th JULY, 2021**

PAWANNEER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vishal Singh, Advocate for
Mr. Keshav Pratap Singh, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

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

This petition under Section 439 Cr.P.C. was filed seeking regular bail in FIR No. 39, dated 28th March, 2021, under Section 304 IPC, registered at Police Station Kathgarh, Distt. Nawanshahar.

As per the FIR, on 27th March, 2021 the petitioner was recklessly driving a truck at G.T. Road, Ashro. The truck jumped the road divider and hit ASI Sarwan Singh who was standing on the other side. ASI got struck in the bumper of the truck and was dragged. Ultimately truck hit the iron railing on the bank of Bist-Doaba canal.

Learned counsel appearing for the petitioner submits that it is a case of road side accident, no case under Section 304 is made out. The contention is that the petitioner is in custody since 28th March, 2021, challan stands presented and the petitioner has no criminal antecedents.

Learned State counsel relies upon the pleading of the short

reply dated 30th June, 2021 and opposes the prayer for grant of bail.

Considering the allegations are of reckless driving, petitioner is in custody since 28th March, 2021, no recovery is to be made, he is not involved in any other case, challan stands presented and conclusion of the trial is likely to take time; petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

12th JULY, 2021

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>