

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

CRM-M-22669-2021 (O&M)

Date of decision: 27.07.2021

Paramjeet Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Preetinder S. Ahluwalia, Advocate for the petitioner.

Mr. H. S. Sitta, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The status report by way of affidavit dated 18.07.2021 of the Assistant Commissioner of Police, North Jalandhar, already filed in the Registry, is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.133 dated 20.05.2020, registered at Police Station Division No.8, Jalandhar, District Police Commissionerate Jalandhar, under Sections 304 and 120-B IPC.

Learned counsel for the petitioner submits that the petitioner was unarmed at the time of the alleged occurrence, and that the only role

attributed to him is of having pressed the nose of Devinder Singh (since deceased), but as per the PMR, there was no injury on the nose of the deceased. It is further submitted that there was a calcified atheromatous plaque in the arteries of the deceased and that as per the medical report, he had died due to myocardias infraction and not not due to the injuries caused in the alleged occurrence. There was no external injury on the person of the deceased. The petitioner has no criminal antecedents at all. Moreover, co-accused have since been granted the benefit of interim bail either by the learned Additional Sessions Judge or by this Court. The petitioner has been in custody since 23.12.2020.

It is further argued that as per the post mortem report, there was no ligature mark or any external sign on the body of the deceased. There was one small bruise on the left leg, another bruise on the right leg and a contusion on the inner surface of lower lip of the deceased.

On the other hand, learned State counsel, while opposing the prayer for bail, points out that there are specific allegations against the petitioner and as per the Doctor's opinion, the cause of death in this case is myocardial infarction finding its trail in the injuries, including the one attributed to the petitioner, received by the deceased in the occurrence. The deceased was 76 years of age.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.12.2020. Though the case is at the stage of evidence, yet the trial will take time to conclude,

especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

27.07.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No