

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-18430-2023

Date of Decision.:24.04.2023

Hari Om

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.220 dated 30.09.2021 registered under Sections 304/34 of the IPC registered at Police Station City, Kot-Kapura, District Faridkot.

Unclaimed dead body of a person was found on 27.09.2021, which was later on identified to be of Jagpreet Singh. FIR was lodged on the complaint of his mother Amarjit Kaur, in which name of the petitioner was not disclosed. Later on, during investigation, one Balraj made a statement on 28.01.2022 i.e. almost after four months from the death of Jagpreet Singh to the effect that he had seen the deceased in the company of co-accused Pawanpreet Singh who along with deceased had met Hari Om i.e. present petitioner.

Learned counsel for the petitioner pointed out towards (Annexure P-2) which is final report regarding the cause of death of Jagpreet Singh as per which no definite cause of death could be given.

Learned counsel for the petitioner further pointed out towards

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order dated 03.02.2023 passed by this Court in CRM-M-4460-2023 (Annexure P-3) whereby co-accused Pawanpreet Singh @ Pawandeep Singh @ Mani was allowed bail and in which it was observed that no poison was detected in the contents of viscera, though it has been alleged by the complainant that his deceased son had been made to consume some intoxicant.

Notice of motion.

Mr. Parneet Singh Pandher, AAG, Punjab, who is present in the Court accepts notice on behalf of respondent-State.

Co-accused Pawanpreet Singh has already been allowed bail. As per the custody certificate placed on record by learned State counsel, petitioner is in custody for the last 7 months and 11 days, with no criminal antecedents. Petitioner also deserves bail on the ground of parity.

Having regard to the aforesaid facts and circumstances but without commenting anything further on the merits of the case, petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Disposed of.

April 24, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No