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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18739-2024
Date of decision : 01.05.2024

HARPREET SINGHPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. J.S. Sandhu, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.45 dated 22.08.2021 registered for the offences punishable under Sections 307, 365, 342, 323, 506, 148, 149 of the Indian Penal Code, 1860 and Sections 364, 325, 302 and 34 IPC added later on at Police Station Mehal Kalan, District Barnala, Punjab.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.
3. As per the allegations levelled in the FIR the petitioner was attributed *soti* blow on the right arm of the victim.
4. Counsel for the petitioner submits that the victim was admitted in the hospital but left against medical advice. Later on he died on account

of Pneumonia. Counsel thus submits that the petitioner was attributed soti blow on the non-vital part which led to simple injury and thus the same cannot be related to the death of the victim. Challan stands presented. 10 out of 26 cited witnesses stand examined. The petitioner is in custody for more than 2 years, 7 months and 13 days.

5. State Counsel is not in position to dispute the factual assertions made by counsel for the petitioner based on record.

6. I have heard counsel for the parties and have gone through records of the case.

7. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner, the nature of allegation and the nature of evidence against him, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 01, 2024		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No