

CRM-M-19874-2015

[1]

In the High Court of Punjab and Haryana at Chandigarh.

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Date of Decision:18.09.2015

Karam Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. H.S. Bath, Advocate,
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.135, dated 17.06.2014, under Sections 302, 201 and 34 of the Indian Penal Code, 1860 registered at Police Station Lopoke, District Amritsar Rural.

Prosecution story, in brief, is that on 14.06.2014, dead-body of deceased-Ranjit Singh was recovered. As per the FIR complainant came to know that Ranjit Singh had been murdered by Satwinder Singh @ Kala with the help of Lakhwinder Singh @ Lakha and Sahib Singh @ Saba. The dead-body was buried in the pond of the village.

Learned counsel for the petitioner has submitted that the petitioner was not named in the FIR. The evidence against the petitioner collected during investigation was that he had suffered a disclosure statement before Harpal Singh, Sarpanch on

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18.06.2014. As per Harpal Singh, all the accused had collectively suffered the extra judicial confession before him. In his cross-examination Harpal Singh-PW-4 had admitted that he had contested election against the petitioner.

Learned State counsel, on the other hand, has opposed the petition.

In the present case, petitioner is not named in the FIR. In fact as per the prosecution case, the deceased had been murdered by accused Satwinder Singh with the help of Lakhwinder Singh and Sahib Singh. Accused Lakhwinder Singh is the son of the petitioner. So far as petitioner is concerned, the allegation against him is that he had helped the other accused in burying the dead-body in the pond. PW-4 in his cross-examination has admitted that petitioner has contested election against him. Petitioner is in custody since 21.06.2014.

Keeping in view the facts and circumstances of the present case, it would be just and expedient to order the release of the petitioner on bail.

Accordingly, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Amritsar.

September 18, 2015
kapil

(SABINA)
JUDGE