

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl.Misc.No.M-43874 of 2014

Date of decision : 12.3.2015

Ranjit Singh @ Jeeta

.....Petitioner(s)

Versus

State of Punjab

....Respondent(s)

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. N.S. Dandiwal, Advocate for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

DARSHAN SINGH, J.

This petition for grant of regular bail has been filed by petitioner-Ranjit Singh @ Jeeta, who is facing trial for the offences punishable under Sections 302, 427, 148, 149 of the Indian Penal Code and Section 25 of the Arms Act, Police Station Dialpura, District Bathinda.

Learned counsel for the petitioner contended that as per the statement of complainant-Om Parkash recorded by the learned trial Court on 7.11.2012, the petitioner has not been identified by him. He also denied that he has made the statement that the petitioner was armed with a *Kappa*. No specific injury has been attributed to the petitioner in his statement. Thus, he contended that as no specific injury on the person of the deceased has been attributed to the petitioner, he deserves the concession of bail.

On the other hand, learned State counsel contended that

the accused petitioner has caused the injury on the back of the neck of deceased Kamal Kumar with a *Kappa* which proved fatal. Even Om Parkash has deposed this fact in his examination-in-chief. The remaining eye witnesses are yet to be examined. So, the petitioner does not deserve the concession of bail.

I have duly considered the aforesaid contentions.

It is settled principle of law that at the time of deciding the application/petition for grant of bail, the Court should not indulge in meticulous appreciation of the evidence as it may cause prejudice to either of the parties. At the stage of bail, the Court is only to take into consideration the broad allegations and material in support thereof. In the instant case, two persons Deepak Kumar son of complainant Om Parkash and Kamal Kumar @ Waheguru son of Thakar Ram have been murdered. In the FIR recorded on the statement of Om Parkash, there are specific allegations that the present petitioner, who was armed with a *Kappa*, caused injury on the back of the neck of Kamal Kumar. PW-1 Om Parkash in the examination-in-chief had categorically named the present petitioner participating in the occurrence armed with *Kappa*. Thereafter, he has stated that Kamal Kumar @ Waheguru was caught hold by other accused and inflicted the injuries with their respective weapons. In view of the plea raised by the learned State Counsel that the remaining eye witnesses of the occurrence are yet to be examined, so, the entire fate of the case does not depend upon the statement of PW-1 Om Parkash alone.

Thus, keeping in view the fact that the specific injury on the vital part of body of deceased Kamal Kumar has been attributed to the present petitioner, he does not deserve the concession of bail.

Consequently, the present petition has no merits and the same is hereby dismissed.

March 12, 2015
ps

(DARSHAN SINGH)
JUDGE

