

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-7860 of 2015(O&M)
Date of decision : May 11, 2015

Sucha Singh

..... Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE ANITA CHAUDHRY

1. Whether Reporters of the local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Piyush Sharma, Advocate
for the petitioner

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

Mr. Sidakmeet Singh Sandhu, Advocate
for respondent No. 2

ANITA CHAUDHRY, J.

CRM No. 15177 of 2015

Application is allowed and accompanied Annexure P-5 is
taken on record.

CRM No. M-7860 of 2015

The petitioner is seeking regular bail in FIR No. 227
dated 19.07.2014 registered at Police Station Sadar Ferozepur,
District Ferozepur under Sections 304, 323, 34 IPC subsequently
Sections 302, 304, 307, 323 IPC were added.

Santokh Singh lodged FIR with the police which discloses
that there was a dispute and Sucha Singh and his son were alleged
to be in illegal possession of panchayat land. The D.D.P.O. ordered

demarcation of the land. Both the parties were present with the revenue officials for demarcation of land on 18.07.2014. The complainant alongwith his brother and Lakhwinder on one side. On the other side Sucha Singh, his son Jasvir Singh, Jaswant Singh, Gurmail Singh were also present. The demarcation was completed at about 3.00 in the afternoon. The work had completed and the employees of the revenue department were installing pillars. Sucha Singh and others started abusing the complainant side. Sucha Singh, his son and others went away and came back carrying dangs lying behind the bushes and raised lalkara. Sucha Singh then gave a dang blow and hit on the complainant's waist. The allegations are that all the accused encircled Sukhdev Singh and inflicted blows. Sukhdev Singh died on the way to the hospital.

Learned counsel for the petitioner contends that the injuries received by Sukhdev Singh were simple in nature and it is not a case of poisoning and the case of death has not come yet and it is not a case of the complainant that any poison was given and the victim could have a weak heart and the petitioner is in custody since July 2014 and bail may be allowed.

The bail application has been opposed by the State counsel and it is stated that the trial is at a crucial stage and the material witnesses are yet to be examined.

The allegations against the petitioner are serious. It would be at the trial that the question would be examined whether the case would fall under Section 302 or Section 304 IPC and material

witnesses are yet to be examined. No case for bail is made out.

The petition is dismissed.

May 11, 2015

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**(ANITA CHAUDHRY)
JUDGE**