

CRM-M-19209-2016 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CRM-M-19209-2016 (O&M).
Decided on: August 22, 2016.**

Sukhanpreet Singh @ Captain

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.Darling Bahl, Advocate,
the petitioner.**

Ms.Simsi Dhir Malhotra, DAG., Punjab.

M.M.S. BEDI, J. (ORAL)

This is the second application for the grant of regular bail by the petitioner in FIR No.178 dated 30.6.2015, under Sections 302/34, 419, 420, 467, 468, 471, 120-B, 148 and 149 IPC, besides Section 25 of the Arms Act, Police Station, Sultanwind, Amritsar, registered at the instance of Simratpal Kaur wife of Tarandeep Singh, alleging that on 29.6.2015, her husband had been called by his friend Amit Kumar and after he had gone to meet him, she received information that her husband was lying in injured condition with burn injuries on the left side of his head on account of which he had died. Petitioner along with others including Amit Kumar and Bikramjit has been arrested in the case. The evidence against the petitioner gathered by the prosecution agency is in the shape of statement of Manmohan Singh before whom the petitioner had allegedly made extra judicial confession that he along with others was present on the spot in separate cars and statement of PW Kulwant Singh that he had seen the

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petitioner along with others at the place of occurrence. Otherwise it is not the case of the prosecution that petitioner had caused any specific injury to the deceased.

Both Manmohan Singh and Kulwant Singh have already been examined. The role attributed to the petitioner is that he was sitting in the second car along with Kuldeep Singh and Amitpal Singh, while other two accused Amit Kumar and Bikramjit after firing the shots escaped from the spot in Verna car.

Taking into consideration the fact that the petitioner has not been attributed any injury, he can be granted the concession of bail as his culpability with the aid of Section 149 IPC will certainly be an arguable point. The chance of tampering with evidence is also remote as the material witnesses against the petitioner stand already examined.

The 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.

Nothing said in this order will be deemed to be an expression on merits, in any manner.

(M.M.S. BEDI)
JUDGE

August 22, 2016.
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Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No