IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CRM-M No.26268 of 2016

Pooran Singh and another

… Petitioners

Versus

State of Punjab

… Respondent

2. CRM-M No.26273 of 2016

Pooran Singh and another

… Petitioners

Versus

State of Punjab

… Respondent

Date of decision: 7th November, 2016

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Prashant Vashisth, Advocate
for the petitioners.

Mr. J.S. Brar, Asstt. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J.

Since above two detailed regular bail applications both preferred under Section 439 Cr.P.C. by the same set of accused petitioners Pooran Singh and Phuman Singh though have arisen in two different criminal cases got registered by way of FIR No.115 dated 11.08.2014 (in short, 'the first case') and FIR No.138 dated 30.08.2014 (in short, 'the second case') both under Sections 302/396/148/149 IPC pertaining to Police Station Lambi, District Sri Muktsar Sahib but

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factually have much intertwining relevance to each other as well as for the sake of brevity, are being disposed off together.

The brief allegations in the first case are that on 11.08.2014 Sukhdeep Kaur wife of deceased Sukhdev Singh made a statement that she received telephonic call from the deceased that he was going to village to resolve some dispute and thereafter when he never returned they went to look out for him along with others and discovered the dead-body of her deceased husband on the road along with his motorcycle bearing registration No.PB-60-9914 apparently taking it to be an accidental death due to motor vehicular accident. By another quirk of fate, it was revealed that earlier on 26.07.2014 uncle of complainant Sarwan Singh in the second case namely Simranjit Singh was coming on his motor bike bearing registration No.PB-30L-4871 but did not return home and it was discovered that he too met his death apparently by a motor vehicular accident under the same very Police Station. Subsequently, it transpired that in fact a gang comprising of the petitioners including co-accused/non applicants Gori, Ranjit Singh, Jarnail Singh, Surjit Singh, Karamjit Singh @ Ladi, Malkit Singh and Paramjeet Kaur @ Pammi were carrying on such nefarious activities looting people by murdering them in such a manner so as not to create suspicion and taking away the costly articles on the dead bodies leading to their arrest and subsequent recovery of articles of the deceased Sukhdev Singh as well as Baljit Singh from their conscious possession.

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Contentions of learned counsel for the petitioners Mr.Prashant Vashisth, Advocate that the petitioners are not named in the FIRs and nothing has been recovered from them which could enable to connect them with the commission of offence and that they are in custody since long and the trial is not likely to conclude in near future, are stoutly opposed on behalf of the State on the grounds that trial is underway and if allowed bail the petitioners will influence the witnesses.

Appreciating the submissions, prima facie allegations whereby within a span of 19 days two persons have been reported to have died in a similar situation creating akin circumstances and subsequently recoveries of their personal belongings from the possession of the accused, are matters which have strong bearing on the conduct of the accused to connect them with commission of the offences. Apprehension of the State that if allowed bail, petitioners will influence the witnesses certainly is not unfounded. More so, in view of the heinousness of the offence, does not calls for any relief.

In view of the foregoing discussions, both the present petitions being devoid of any merit stand dismissed.

(FATEH DEEP SINGH)
JUDGE

November 7, 2016
rps

Whether speaking/reasoned Yes/No

Whether reportable Yes/No

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