

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH.**

**CRM-M No.38251 of 2016.**

**Date of Decision: 11.11.2016.**

Surjit Singh and another

....Petitioners.

**VERSUS**

State of Punjab and another

....Respondents.

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**CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.**

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**Present:** Mr. D.S. Khurana, Advocate for the petitioners.

Mr. Neeraj Sharma, Assistant Advocate General, Punjab  
for respondent No.1.

Mr. A.K. Sama, Advocate for respondent No.2-complainant.

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**SNEH PRASHAR, J.**

In a complaint filed by Chiman Singh-respondent No.2 the allegation is that his son Sandeep Singh, aged 17/18 years, who on request of Paramjit Kaur was allowed to accompany her (Paramjit Kaur) and her daughter Rinka Kaur on his motorcycle for taking Rinka Kaur to Jalalabad as she was having labour pains, had not returned home for a long time. Later, he got intimation that Sandeep Singh was lying on the ground and his motorcycle was parked near him. He went to the spot and saw his son lying with number of injuries on his person. Surjit Singh and Paramjit Kaur represented to him that his son Sandeep Singh had met with an accident. He first took his son to Takkar Hospital but his condition being serious he shifted him to Adesh Hospital, Muktsar where Sandeep Singh died. After

postmortem examination, when the police came to him, he told him that his son had been murdered, but the police connived with Surjit Singh etc. (arrayed as accused in the complaint) and did not take any action against them. His representations to the higher police officers were also not adhered to. The motive behind the occurrence was said to be that Sandeep Singh was having love affair with Amandeep Kaur, but her parents Surjit Singh etc., who were not agreeable to their relationship, in collusion with other accused had murdered his son Sandeep Singh.

The submissions made by Mr. D.S. Khurana, learned counsel representing the petitioners, Mr. Neeraj Sharma, learned Assistant Advocate General, Punjab and Mr. A.K. Sama, learned counsel representing respondent No.2-complainant have been heard.

Learned counsel for the petitioners submits that as per the school record the age of daughter of the petitioners was hardly 12 years and therefore the question of her affair with deceased Sandeep Singh or their intention to marry did not arise. Learned counsel also submits that Sandeep Singh had met with a vehicular accident and had died due to the grievous injuries suffered by him on the head. An enquiry into the matter was held by Deputy Superintendent of Police, Sub Division Jalalabad, who found the incident of accident to be correct. Submitting that the occurrence had taken place almost four years back and nothing is to be recovered from the petitioners, learned counsel prayed for release of the petitioners on anticipatory bail.

Perusal of the order passed by learned Judicial Magistrate Ist Class summoning the petitioners for commission of offence under Sections

appearing in the witness box and reiterating his allegations as contained in the complaint, the complainant had examined the doctor who conducted postmortem examination on the dead body of Sandeep Singh. The doctor stated that the possibility of the injuries found on the person of the deceased being accidental or medico legal could not be ruled out. He also stated that the cause of death was injury to the brain. One Bachan Singh, before whom the petitioners etc. had made an extra judicial confession, was also examined. As per allegation of the complainant, petitioner Surjit Singh and one Paramjit Kaur, whom his son (deceased) accompanied on his motorcycle, represented to him that his son had met with an accident. How he alone suffered injuries was the question.

In the light of allegations, the matter certainly needs to be thoroughly investigated. The occurrence may have taken place four years back but it is not that the complainant had been sitting silent since then. In fact, he had been running from pillar to post stating his version about the occurrence. It is submitted by learned counsel for the complainant that if at all daughter of the petitioners was teen aged, the son of the complainant was also teen aged.

There are serious allegations against the petitioners. In view of the facts and circumstances and least any expression above may prejudice the case of either side, there being no ground for grant of relief of anticipatory bail to the petitioners, their petition is hereby dismissed.

**(SNEH PRASHAR)**  
**JUDGE**

**11.11.2016**  
*jitender sharma*

**Whether speaking/ reasoned : Yes**  
**Whether Reportable : No**