

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

CRM-M-1820 of 2017

Date of Decision: 05 September, 2017

Manjit Singh

...Petitioner

Versus

State of Punjab

..Respondents

CRM-M-11615 of 2017

Manjinder Kaur @ Rimpi

...Petitioner

Versus

State of Punjab

..Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Harkanwar Jeet Singh, Advocate
for the petitioner (in CRM-M-1820 of 2017).

Mr. Anterpreet Singh, Advocate
for the petitioner (in CRM-M-11615 of 2017).

Mr. Sandeep Kumar, DAG, Punjab.

FATEH DEEP SINGH, J.

These two regular bail applications under Sections 439 Cr.P.C by accused/petitioners having arisen in the same very FIR are being taken up together for disposal.

The brief facts brought to the notice of this Court by both the sides are that complainant Sohan Singh made a statement before the Police that his elder son Ravinder Singh @ Ravi, who was married had disclosed to the complainant on 10.06.2016 that last night he had a scuffle

with Gurdeep Singh, Manjit Singh (present petitioner) Sukhdev Singh on account of the fact that Gurdep Singh has alleged that Ravinder Singh deceased earlier has made a telephonic call to Manjinder Kaur (present petitioner) wife of Gurdep Singh with bad intention and as a consequence of this retaliation damaged car No.PB10BM-0690 owned by the complainant. On the same very day, around 8.30 a.m., Amarjit Singh @ Bhollu came on a motorcycle and took away the deceased to sort out the dispute with his brother but thereafter did not return and when the complainant went to village Chawa, house of the accused, he saw accused Amarjit Singh @ Bhollu, Gurdip Singh, Manjit Singh, Sukhdev Singh and Manjinder Kaur running away from the house and on entering the same saw dead body of his son which bore injuries on the body with blood spattered all around.

Learned counsel for the petitioners submitted that the petitioners are in custody since long time and the trial is not likely to be concluded in near future and that no definite role is assigned to both the petitioners nor there is any eye-witness account to the same and, thus, has prayed for grant of bail to the petitioners.

Learned State counsel has stoutly opposed the grant of bail on the grounds that trial is underway and if allowed bail, the petitioners would certainly influence the witnesses.

Appreciating the submissions, the eye-witness account of the complainant, who had seen all the accused running away from the house where the dead body of the deceased with injuries was lying is a telltale and is clear pointer of the prima facie culpability of the petitioners. Mere incarceration is no ground to allow bail and that too when there is

reasonable apprehension in the mind of the Court that if allowed bail, the accused side would certainly influence the prosecution's witnesses. More so, during the trial complainant has levelled direct insinuation against the accused/petitioners.

In view thereof finding no merit in the instant petitions, both the petitions stand dismissed.

Records of the trial Court be sent back.

(FATEH DEEP SINGH)
JUDGE

05 September, 2017

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No