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

**CRM-M No.2680 of 2017
Date of Decision: 06.02.2017**

HARMANDEEP SINGH @ GURJIT SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Navdeep Singh Bhullar, Advocate
for the petitioner.

Mr. Shilesh Gupta, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.17 dated 27.02.2016, registered under Sections 302, 364, 34 IPC at Police Station Tallewal, District Barnala.

Complainant Sandeep Kaur alleged that her husband Mandeep Singh @ Minta was a famous kabaddi player. Accused Harpreet Singh @ Harry and Harman @ Gurjit Singh were jealous about his fame and were keeping grudge against him. On 17.01.2016, the aforesaid persons took the husband of the complainant on motorcycle despite the opposition made by

the complainant and thereafter in the evening at about 5.00 p.m. they dropped her husband in Indica car at the gate of his house and fled away from the spot. Husband of the complainant was unconscious at that stage and was not responding to the oral command of the complainant, nor there was any body movements. The complainant took her husband in that very car to the Hospital where the Doctor declared him dead. Complainant suspected administration of some poisonous substance to her husband.

Learned counsel for the petitioner contends that the first statement was recorded at the instance of the father of the deceased Hardial Singh on 18.01.2016. The subsequent statement was got recorded by the complainant on 27.02.2016. Both the statements were found to be in conflict with each other.

Learned counsel further contends that the co-accused Harpreet Singh @ Happy has already been granted regular bail by this Court in CRM-M No.40620 of 2016 on 16.12.2016.

Learned State counsel on instructions from ASI Gurtej Singh could not make any point of distinction between the case of the petitioner as that of case of the co-accused Harpreet Singh @ Happy.

Learned State counsel submitted that out of 17 prosecution witnesses, 4 prosecution witnesses have already

been examined and now the case is fixed for 07.02.2017 for examination of remaining prosecution witnesses.

At this stage, without embarking upon merits of the case, I am of the view that the case of the petitioner can be considered for grant of regular bail on parity with the case of the co-accused.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 06, 2017.

(RAJ MOHAN SINGH)
JUDGE

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No