

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

CRM-M No. 4850 of 2017

Date of Decision: 22.02.2017

JIWAN SINGH

-PETITIONER

VS

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Hitesh Verma, Advocate
for the petitioner.

Mr. Jashanpreet Singh, A.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has filed this petition for grant of regular bail
in case bearing FIR No. 53 dated 15.06.2016 under Sections
302/148/149/34 of IPC registered at Police Station Rureke
Kalan, District Barnala.

As per FIR, complainant Sukhwinder Singh alleged
that his brother Jagwinder Singh @ Jaggi was married to
Rajwinder Kaur for the last 13 years. He had two sons and one

daughter. On 13.06.2016, his brother Jagwinder Singh @ Jaggi had an altercation with his wife. Rajwinder Kaur told this occurrence to her parents. At about 10.00 P.M. in the night when the complainant along with his wife were sleeping in the courtyard and his mother was also sleeping, then his brother Jagwinder Singh @ Jaggi came from the work and had his meals. His wife Rajwinder Kaur was also present. In the meanwhile, the petitioner, his mother and other persons came on the motorcycle. They entered the house while abusing. In the meanwhile, 5-6 persons also came on motorcycles, carrying baseball and sticks. Parkash Kaur @ Parkasho, mother-in-law of Jagwinder Singh (deceased) exhorted that Jagwinder Singh be taught a lesson. Jiwan Singh (petitioner) gave a blow of wooden log on the backside of the deceased. After raising alarm, the brother of the complainant started running outside. On the next day, brother of the complainant was found near a bridge in an unconscious state. He ultimately expired in the hospital. During course of investigation, Rajwinder Kaur and Parkash Kaur were

found innocent. Co-accused namely Chamkaur Singh, Kaka Singh @ Balwinder Singh and Pardeep Kumar have already been granted regular bail by this Court in CRM-M No.43006 of 2016 and CRM-M No. 45983 of 2016 respectively.

As per the allegation, the petitioner was the author of an injury on the back of the deceased by wooden log. As per MLR, no visible mark of injury was found on the person of the deceased and he was smelling alcohol. The cause of death was opined to be a massive bleeding leading to haemodranium and injury to vital organs i.e. brain which is sufficient to cause death in ordinary course of nature. As per the challan presented, the prosecution has also shown that the deceased was a drug addict. The nature of injury and cause of death would be debatable issue in the context of part attributed to the petitioner.

Co-accused have already been granted bail by this Court. Petitioner is in custody since 24.06.2016.

In view of above, I deem it appropriate to grant benefit of regular bail to the petitioner. The petitioner is ordered to be

released on bail on his furnishing adequate bail bonds/surety bonds subject 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.

22.02.2017
jjyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No