

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

**CRM No.M-45233 of 2017 (O&M)
Date of Decision: November 26, 2018**

Kuldeep Kumar alias Deepi

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.R.S.Mamli, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.64 dated 22.05.2016 under Sections 302, 148, 149, 120-B IPC, Section 25 of the Arms Act and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, registered at Police Station Sadar, District Hoshiarpur.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that FIR in the present case, has been registered on the statement of Devinder Singh. As per version in the FIR,

the complainant went on his motorcycle towards Jahan Khela at about 6.00 p.m. When he reached at the gate of Swami Sarvanand Giri Bajwara Kalan, he saw that his son Manpreet Singh @ Manna was sitting with his friend in Maruti Gypsy. Then from opposite side, a vehicle came, in which 4-5 young boys were sitting and they were armed with sharp edged weapons. They alighted from the vehicle and on seeing them, complainant's son ran towards the gate of the college and his friend ran towards north side of the road. When complainant's son reached at the gate of University, then 4-5 young boys came out from another car and surrounded his son and put him down on the earth. They attacked him with sharp edged weapons. Then 4-5 boys, who were chasing him, also gave injuries to Manpreet Singh @ Manna. When complainant cried to save his son, then 9-10 unidentified persons, who were inflicting injuries, fled away with their respective weapons and vehicle considering that Manpreet Singh @ Manna is dead. Then supplementary statement was got recorded, in which, complainant named some of the accused including present petitioner and stated that present petitioner was armed with *datar* and he gave *datar* blow on the right leg and left arm of Manpreet Singh @ Manna.

In the present case, no witness has been examined so far. The trial is at initial stage. There is every chance of tampering with the evidence.

Keeping in view the facts and circumstances of the present case and in view of the serious allegations against the present petitioner, I do not find it a fit case where petitioner is entitled to benefit of regular bail.

Therefore, finding no merit in the present petition, the same is

dismissed.

However, as the petitioner is stated to have been in custody since 10.06.2016, therefore, learned trial Court is directed to expedite the trial by giving short adjournments and if required, even day to day adjournments. The Investigating Officer/SHO concerned is directed to produce the complainant and other eye witnesses before the trial Court at the earliest preferably on next 2-3 dates.

November 26, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No