

Sr. No.211

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

CRM No. M-46891 of 2017 (O&M)

Date of Decision: 09.02.2018

Shingara Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Gurpreet Singh Sandhu, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR No.15 dated 26.01.2017, under Sections 302/120-B IPC, registered at Police Station Nahianwala, District Bathinda.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Baljit Singh in relation to an alleged occurrence dated 25.01.2017. Deceased is Lakhvir Singh i.e. son of the complainant.

As per complainant's version, Lakhvir Singh was done to death by Balwinder Singh @ Bittu who was armed with a kirch and Gurtej Singh @ Mintu armed with an axe. Motive attributed is that 07-08 years prior to the occurrence, Lakhvir Singh (since deceased) had inflicted injuries upon Balwinder Singh and in which case Lakhvir Singh had been convicted and was now on bail.

Present petitioner has been implicated on the strength of a supplementary statement recorded of the complainant on 29.01.2017 and as per which the present petitioner was known to co-accused Balwinder Singh and it was alleged that they had consumed liquor together and were on the watch out and keeping an eye on the whereabouts of deceased Lakhvir Singh. Even in such supplementary statement, no overt act/injury has been attributed to the present petitioner on the person of the deceased.

Petitioner has faced incarceration since 31.01.2017.

Investigation having been completed, challan was presented and even charges have been framed. Even the examination-in-chief of the complainant, namely, Baljit Singh (father of the deceased) already stands recorded.

Petitioner has been roped in with the aid of Section 120-B IPC.

Trial as such would take time to conclude.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Bathinda.

Disposed of.

09.02.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No