

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

Criminal Misc. No.M-9917 of 2018(O&M)
Date of Decision: 03.08.2018

Manpreet Singh @ Mannu ...Petitioner(s)

Versus

State of Punjab ...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Prateek Pandit, Advocate
for the petitioner(s).

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

CRM Nos.25774 and 26789 of 2018

Applications are allowed as prayed for. Documents
Annexures P-3 to P-5 are taken on record.

Criminal Misc. No.M-9917 of 2018

Prayer made in the instant petition filed under Section 439
Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.145
dated 31.05.2017 for offence under Sections 302, 201 IPC, registered at
Police Station Sultanpur Lodhi, District Kapurthala.

The FIR was registered at the instance of the Karnail Singh,
who has stated that on 31.05.2017, when he went to his fields in the
morning, he saw a dead body of an unknown person lying in the field
having sharp edged weapon injuries on the head. After registration of the
FIR, the investigation was conducted and the dead body was found to be of
one Ajay Kumar @ Ram son of Paramjit. During Investigation one Rajan
son of Girdhari and his wife Kuldeep had made a statement on 01.06.2017

stating therein that it was on evening of 30.05.2017, when they were going on the road near the place of recovery, they had noticed that Hardev Singh son of Bhajan Singh, Manpreet Singh son of Jaswant Singh(present petitioner) and Sira son of Parkash were going alongwith Ajay @ Ram on a motorcyle. The said Motorcycle was being driven by the co-accused Hardev Singh. On the basis of this statement, the petitioner, Hardev Singh and Jasvir Singh @ Sira were nominated as accused on the basis of last seen theory.

Counsel for the petitioner has argued that the petitioner has no role in the murder of Ajay @ Ram. He referred to the statement of co-accused Hardev Singh, wherein the manner in which Ajay @ Ram was murdered, was described and no role is attributed to the petitioner. Whatever injuries had been given, were given by Hardev Singh. Before the occurrence, they all had consumed liquor except Jasvir Singh @ Sira and while they were taking liquor, deceased Ajay @ Ram had verbal arguments with Hardev Singh. Earlier also, there was a dispute regarding money between Ajay @ Ram and Hardev Singh.

Learned State counsel, on instructions from HC-Mohinder Singh, states that no doubt, the petitioner has not been attributed any injury on the persons of the deceased Ajay @ Ram, but there was a confessional statement of the present petitioner Manpreet Singh as well as co-accused Jasvir Singh, wherein they have stated that they have acted as per the scheme made by Hardev Singh.

I have heard learned counsel for the parties.

The disclosure memo of Hardev Singh, nowhere reflects that the petitioner has given any injury to the deceased and there is no reference

that in pursuance of any scheme, he committed the murder of Ajay @ Ram. They all four were on one motorcycle and no specific injury has been attributed to the petitioner. Therefore, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

03.08.2018
Anjal

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No