

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

**CRM-M No.51036 of 2018 (O&M)  
Date of Decision: 20.02.2019**

Tejinder Singh @ Romy

..... Petitioner

*Versus*

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present:- Mr. Premjit S. Hundal, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab  
for the respondent/State.

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**MAHABIR SINGH SINDHU, J. (Oral)**

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail, pending trial, to the petitioner in case FIR No.93 dated 12.07.2018, under Sections 302 and 201 of the Indian Penal Code, 1860, registered at Police Station 'B' Division, Amritsar.

As per the allegations in the FIR, which was registered on the basis of statement of complainant-Narinder Singh @ Nandu that on 12.07.2018 at about 01:30 PM, he was going towards Tubewell of Dara Singh, then he found one dead body lying on the ground. Further alleged that the said person was killed by giving mercilessly beatings and in order to dispose of his dead body, the same has been thrown on the ground. During investigation, the names of accused Dalbir Singh, his wife-Baljit

Kaur, his son-Gurjit Singh @ Kalu and one Tejinder Singh @ Romi (petitioner) have come on record, who have caused the death of Happy. The police has taken into possession mobile recording, in which, accused persons were giving beatings mercilessly turn-by-turn to Happy with the help of *Khoonda* and due to that, he died. Petitioner was one of the said accused persons, who gave beatings to him.

It is contended by learned Counsel for the petitioner that neither the petitioner is named in the FIR; nor any specific role has been attributed of the alleged murder of Happy. Also contended that veracity of the alleged Compact Disk (C.D.) of said mobile recording will be seen after conclusion of the trial. Further contended that the petitioner is in custody since 15.07.2018 and thus, no useful purpose would be served by keeping the petitioner behind the bars.

On the other hand, learned State Counsel opposed the submissions raised on behalf of the petitioner and prayed for dismissal of the petition.

Heard learned Counsel for the parties and perused the paper-book.

During investigation, statement of one Ranjit Kaur was recorded under Section 161 Cr.P.C. and she specifically stated that petitioner was very much present when deceased was beaten by Dalbir Singh, his wife-Baljit Kaur, his son-Gurjit Singh @ Kalu, Tejinder Singh @ Romi (petitioner) as well as one Arshdeep Singh. She further stated that both hands of deceased were tied and he was given severe beatings and

consequently, died and the whole incident was recorded in the mobile phone and the C.D. was handed over to the police during investigation.

The allegations against the petitioner are that he actively participated in committing the murder of Happy, who was mentally retarded person and as such, committed a heinous crime.

In view of above, no case is made out to grant the concession of bail, pending trial, to the petitioner.

Accordingly, the present petition is dismissed at this stage.

Observations may not be construed as an expression of opinion on the merits of the case.

February 20, 2019  
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( MAHABIR SINGH SINDHU )  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable        | Yes |