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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42241-2019
Date of decision-31.10.2019

Tehal Singh @ Baja

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Surinder Garg, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner- Tehal Singh @ Baja has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.147 dated 13.09.2018 registered under Section 306 read with Section 34 of Indian Penal Code, 1860 at Police Station City Kotkapura, District Faridkot. The petitioner is in custody since his arrest on 05.09.2019.

The FIR was registered on the statement of complainant, namely, Mukhtiar Kaur wife of Hakam Singh wherein it was mentioned that last year a dispute took place between her son Karam Singh with his maternal uncles. In the said dispute, Baldev Singh son of Jinder Singh, residing with his maternal uncles, received injury on his arm and after nine days, he died. On the statement of Tehal Singh @ Baja (petitioner), maternal uncle of Baldev Singh, a case under Section 304 IPC was registered against

Karam Singh. During that period, petitioner and his family members burnt the house of Karam Singh and gave threats to sons of the complainant. Later on, Karam Singh was released on bail and due to fear he had shifted his family to his in-laws family at village Tehna. On date of hearing of case under Section 304 IPC, in the Court premises, the petitioner along with his family members came there and started threatening the complainant and his son that they will not allow Karam Singh to leave scot free and shall kill him. Thereafter, complainant and his son Karam Singh had proceeded to the house of her daughter-Baljit Kaur at Kotkapura and when they reached outside her house, Karam Singh had consumed some poisonous substance and fell down there. Later on, he died during treatment at hospital.

Learned counsel for the petitioner contends that a compromise has been arrived at between the parties. Therefore, further custody of the petitioner may not be required. He further contends that co-accused, namely, Angrej Singh, Jagtar Singh @ Mantri and Rani have already been granted the concession of pre-arrest bail.

On the other hand, learned State counsel assisted by ASI Jaglal opposed the prayer, however, it is not disputed that co-accused have been granted the concession of pre-arrest bail.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his

furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court Faridkot.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

31.10.2019

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No