

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

CRM-M-45809-2019 (O&M)

Date of decision : 16.11.2019

Chamkaur Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. B.S. Baath, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.
Alongwith ASI Kuldeep Singh.

Mr. Ashok Saini, Advocate and
Mr. Antrieksh Saini, Advocate for the complainant.

ANIL KSHETARPAL, J. (ORAL)

Prayer is for grant of bail to Chamkaur Singh in a criminal case arising from FIR No.0029 dated 07.04.2019 registered under Sections 302/307/148/149 of the Indian Penal Code and offence under Sections 325/323 IPC added later on vide rapat No.023 dated 07.05.2019, at Police Station Qadian, District Batala.

As per case of the prosecution, Inderjit Singh was elected as Sarpanch of the Village and persons belonging to the accused party were not happy with the same. On 07.04.2019, petitioner alongwith co-accused who were 5 in number had attacked 4 persons and Navdeep Singh died in the aforesaid incident.

Learned counsel for the petitioner submits that the petitioner is not attributed to have caused any injury to the deceased. He further refers to the statement of Gurpreet Singh and Bhupinder Singh recorded under Section 161

Cr.P.C. to the effect that the petitioner had given injury with a handle of spade on the shoulder of right arm of Gurpreet Singh and another blow to Bhupinder Singh.

Learned counsel has further submitted that Kirpal Singh and Shishpal Singh have been granted concession of regular bail vide orders dated 30.08.2019 and 13.09.2019.

On the other hand, learned counsel for the first informant has contended that the case of the petitioner is different as the petitioner had given two blows whereas Kirpal Singh and Shishpal Singh had only given one blow. He further submits that the accused party had committed murder in a gruesome manner and, therefore, petitioner should not be granted concession of bail.

This Court has considered the submissions.

Learned counsel for the State, on instructions from ASI Kuldeep Singh, admits that investigations have been completed. As per the investigation, petitioner is not attributed to have caused any injury to the deceased. Petitioner is in custody since 02.07.2019 and he is not involved in any other case.

Without commenting on the merits of the case and keeping in view the aforesaid facts, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

16.11.2019

Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No