

CRM No. M-1976 of 2020 (O&M)

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(216)

CRM No. M-1976 of 2020 (O&M)

Date of Decision : 03.06.2020

Pushpinder Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ripudaman Singh Sidhu, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Mr. Piyush Sharma, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

File has been taken for hearing through video conference due to Covid-19 pandemic.

CRM No. 11812-2020

This is an application for placing on record documents as Annexures P-2 to P-6 respectively.

Application is allowed and Annexures P-2 to P-6 respectively are taken on record.

CRM No. M-1976-2020

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No. 14, dated 14.03.2019, under Sections 302, 364, 404, 316, 201, 120-B, 148, 149 IPC,

registered at Police Station Arif Ke, District Ferozepur.

Learned counsel for the petitioner states that petitioner was not present at the site of incident on the day of occurrence i.e. 14.03.2019 as he was at his home at that time. Learned counsel further states that petitioner is in custody since 29.03.2019 onwards and nothing has come in the evidence so as to connect him with the murder of Ravneet Kaur @ Rajni in any manner, much less the conspiracy as being alleged against him.

Mr. Ajay Pal Singh Gill, learned Deputy Advocate General, Punjab, who has also joined the proceedings through video conference, argues that the present petitioner is the friend of the husband of the deceased Ravneet Kaur @ Rajni and petitioner was acting on the instructions of the husband of the deceased being given by him from Australia. Learned State counsel further states that petitioner has admitted himself that he went to District Ferozepur alongwith the other co-accused on 13.03.2019. Learned counsel for the State further states that even the telephone location of the petitioner shows that he was present in District Ferozepur on the date of occurrence.

Mr. Piyush Sharma, Advocate, who appears through video conference on behalf of the complainant, states that keeping in view the evidence, which has already come on record, petitioner has been identified by a witness, namely, Karamjit Sharma, whose testimony has been placed on record as Annexure P-3 to the effect that petitioner was present at the site on the day of the occurrence and petitioner was identified on the date of the statement given by the said Karamjit Sharma.

I have heard learned counsel for the parties and have gone through the case file very carefully.

From the facts stated above, it is clear that the petitioner, who is a resident of District Sangrur, had visited District Ferozepur alongwith the other co-accused. Nothing has been stated as to why the petitioner accompanied the co-accused to District Ferozepur in case, the petitioner has nothing to do with the incident. Further, the evidence has already come on record, wherein, a witness Karamjit Sharma has identified the petitioner to be present on site on the day of occurrence.

Keeping in view the above facts, especially, when the prosecution evidence is going on, no ground is made out to grant the petitioner the concession of regular bail.

Petition is, accordingly, dismissed.

Nothing mentioned in this order will be taken as an expression of opinion on the merits of the case.

June 03, 2020

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether reasoned/speaking? *Yes*

Whether reportable? *No*