

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4899-2020 (O&M)
Date of Decision: 10.02.2020

Narvinder Singh @ Kala Ramandi

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, Asstt. A.G, Punjab.

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Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.187 dated 23.10.2018, under Sections 302, 201 and 34 IPC (Section 25 Arms Act, 1959 and Section 411 IPC added later on during framing of charge), registered at Police Station B Division, Police Commissionerate Amritsar, District Amritsar. He is in custody since his arrest on 25.10.2018.

The FIR was registered on the statement given by complainant Balwinder Singh, wherein it was alleged that he retired as Manager from the Co-operative Bank, Amritsar and his elder son Amandeep Singh @ Dedh was doing labour work in Saharanpur (U.P.) and used to reside there, who had come to Amritsar three days back. According to the complainant about 6-7 months ago, his son Amandeep Singh @ Dhed had a fight with Navdeep Singh @ Ballu Chor and Harpal Singh and in that regard, Navdeep Singh @ Ballu Chor had got registered an FIR against Amandeep Singh @ Dhed and others at Police Station Maqboolpura. It was alleged that they used to say

that they would kill his son Amandeep Singh @ Dedh. On 23.10.2018 at 7:00 A.M. when the complainant tried to contact his son Amandeep Singh @ Dedh on phone, it was found switched off and at around 8.00 am, he came to know that dead body of his son Amandeep Singh @ Dedh was lying in a vacant plot wrapped in a blanket at New Shaheed Udham Singh Nagar. The complainant expressed suspicion that Navdeep Singh @ Ballu Chor and Harpal Singh intoxicated his son to death and threw his dead body in the vacant plot.

Learned counsel for the petitioner contends that the son of the complainant was a drug addict, who died due to over dose of drug. He further contends that the petitioner is not named in the FIR and has been indicted on the basis of alleged extra judicial confession suffered by him before Narinder Singh @ Nandu. According to him, the other co-accused have been extended the concession of regular bail by this Court vide order dated 27.09.2019 and 07.01.2020 respectively. He has invited the attention of the Court to the said orders (Annexures P-2 to P-4). He submits that the complainant stands examined by the prosecution and the rest of the witnesses are official witnesses and, therefore, there is no possibility of their being won over.

The prayer is opposed by learned State counsel, who is assisted by ASI Raj Kumar. It is submitted by him that the petitioner suffered an extra judicial confession before Narinder Singh @ Nandu and confessed about his involvement in the crime. However, it is not disputed that other co-accused have been granted the concession of regular bail by this Court and the complainant stands examined.

Considering the above background, custody of the petitioner

and the fact that the complainant has been examined as a witness before the trial Court, but still the trial would consume considerable time, therefore, his further detention 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 the requisite bail bonds and surety bonds to the satisfaction of the trial Court Amritsar.

The petition is allowed.

10.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No