

CRM-M-19181 of 2018

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

CRM-M-19181 of 2018
Date of Decision: 21.01.2020

Amar Singh
...Petitioner

Versus

State of Punjab
....Respondent

CRM-M-11387 of 2019

Kuldip Singh @ Lada
...Petitioner

Versus

State of Punjab
....Respondent

CRM-M-32641 of 2018

Pardeep Singh @ Bittu
...Petitioner

Versus

State of Punjab
....Respondent

CRM-M-50755 of 2018

Gurpal Singh
...Petitioner

Versus

State of Punjab
....Respondent

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CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. J.S. Dhaliwal, Advocate, for the petitioner in CRM-M-19181 of 2018.
Mr. P.B.S. Goraya, Advocate, for the petitioner in CRM-M-11387 of 2019.
Mr. R.S. Sidhu, Advocate, for the petitioner in CRM-M-32641 of 2018.
Ms. Satwant Mehta, Advocate, for the petitioner in CRM-M-50755 of 2018.
Mr. Pawan Sharda, Sr. DAG, Punjab.
Mr. Navkiran Singh, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Custody certificates filed in Court today are taken on record.

Be tagged at appropriate place.

By this common order, I shall dispose of above-titled four petitions filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to petitioners, namely, Amar Singh (CRM-M-19181 of 2018), Kuldip Singh @ Lada (CRM-M-11387 of 2019), Pardeep Singh @ Bittu (CRM-M-32641 of 2018) and Gural Singh (CRM-M-50755 of 2018) in a case arising from FIR No.22 dated 01.04.2017 registered under Sections 302, 307, 452, 506, 427, 148, 149 IPC and Sections 25, 27, 30 of the Arms Act, 1959 at Police Station Valtaha, District Tarn Taran.

Briefly, on 31.03.2017, a group of 15/20 persons, some of whom were armed with deadly weapons like double barrel guns, *takua* and *danda* etc., committed murder of two persons, namely, Kulwant Singh and Gurwinder Singh after demolishing wall of complainant Budh Singh. Petitioners were the members of that group.

According to prosecution, Kuldip Singh @ Lada was empty-handed. He only raised *lalkara*. He has not been attributed any injury to

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any of the persons of the complainant-party. He is in custody since 07.04.2017.

Petitioner Pardeep Singh was not named in the FIR. In his supplementary statement, complainant Budh Singh named him as one of the assailants, but no injury was attributed to him. He was shown to have been armed with *dang*. His role was shown to be of brick batting. However, complainant Budh Singh as PW1 in his cross-examination admitted that he did not suffer any supplementary statement. He is in custody since 29.12.2017.

Petitioner Gurpal Singh was shown to be armed with *takua*. No role has been attributed to him also. He is in custody since 01.04.2017.

Learned counsel for the petitioner contends that conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioners. He, however, admits that all material witnesses have been examined.

Considering overall circumstances, long custody of Kuldip Singh @ Lada, Pardeep Singh @ Bittu and Gurpal Singh for more than two years and the fact that conclusion of trial may take a sufficient long time, but without expressing any opinion on the merits of the case, their petitions are allowed. They are ordered to be released on bail during pendency of trial, if not required in any other case, on their furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

So far as bail application of Amar Singh is concerned, he was

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armed with a double-barrel gun and fired a shot, pellet of which hit left leg of the complainant. On his medico-legal examination multiple lacerated punctured wounds were found on his left leg. Therefore, considering the seriousness of his participation in the occurrence, in which two persons died, his petition (CRM-M-19181 of 2018) is dismissed.

January 21, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

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