

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

CRM-M-16775-2020 (O&M)
Date of Decision:- 3.9.2020

Rajesh Kumar @ Jassi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajiv Vij, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. P.S.Ahluwalia, Advocate with
Mr. H.S.Randhawa, Advocate for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.242 dated 3.9.2018 under Sections 302/34 IPC and Sections 27/29/54/59 of Arms Act, 1959 at Police Station City Sangrur, District Sangrur.
2. The FIR is to the effect that police received telephonic information on 2.9.2018 at about 11.15 p.m. to the effect that one man and a lady had been murdered on college road. Upon receipt of said information, the police party went to the spot where they came across Karamjeet Kumar, who disclosed that the dead-body lying there was of his brother Charanjeet and of his wife. The car belonging to the deceased and empty cartridges were also found at the spot. Karamjeet Kumar disclosed that he is dealing in real estate and that his younger brother Charanjeet @ Chirhi was also into property business,

who was to recover an amount of ₹ 5 lacs from Jassi and Pardeep Kumar Sharma in respect of which his brother (deceased) had spoken to him several times. Karamjeet Kumar further stated that on 2.9.2018 at about 10.58 p.m., his brother had called him from his mobile phone that Pardeep Kumar, Jassi sons of Hemraj, Anupam @ Pompy and Jaju had surrounded them near Ranbir College road and who were all armed with weapons and would kill them and asked the complainant to reach there immediately. The complainant stated that he, thereafter, went to the college road where he saw the dead bodies of his brother and of his wife lying in a pool of blood and that he fully believes that his brother and sister-in-law had been killed by Jassi and Pardeep Kumar Sharma alongwith Anupam @ Pompy, M.C. Councillor and Jaju son of Gulshan Kumar.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that it is a case of blind murder. It has further been submitted that the police is fabricating evidence against the petitioner by showing recovery of empty cartridges from the place of occurrence and from the residence of petitioner whereas the petitioner is not connected with the alleged murders in any manner.
4. Opposing the petition, the learned State counsel assisted by counsel for the complainant has submitted that apart from the fact that the petitioner is named in the FIR, the investigating agency has collected sufficient evidence to establish the complicity of the petitioner. The learned State counsel has informed that while two empty cartridges of 12 bore were collected from the place of occurrence, the petitioner pursuant to his arrest suffered a disclosure statement and got a 12 bore gun along with two empty cartridges recovered

from his residence and that the empty cartridges and the gun were got examined from Ballistics Expert of the Forensic Science Laboratory (F.S.L) and as per report of the F.S.L, the recovered empty cartridges were found to have been fired from DBBL gun recovered at the instance of the petitioner.

5. I have considered rival submissions addressed before this Court.
6. Keeping in view the allegations against the petitioner and the evidence collected by the police especially the scientific evidence in the nature of report of Ballistics Expert, the complicity of the petitioner in the murder of brother and sister-in-law of the complainant is *prima facie* evident. In these circumstances, this Court does not find any ground for grant of regular bail.
7. The petition is sans merits and is hereby dismissed.
8. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

3.9.2020

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No