

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

CRM-M-21001-2020 (O&M)

Date of decision: 30.07.2020

Achan Kumar @ Lovely

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Vikasdeep Singh, Advocate for the petitioner.

Mr. R.S. Thind, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner Achan Kumar @ Lovely, aged about 23 years, an accused in FIR No.06 dated 04.02.2017, for offences under Sections 302 and 34 IPC, registered with Police Station Begowal, District Kapurthala.

In nutshell, the prosecution story is that, the FIR in question was recorded on the basis of statement of complainant Pritpal Singh son of Milkha Singh, resident of Village Mansoopur, District Hoshiarpur, aged about 62 years, who inter alia stated that his sister Swaraj Kaur was married with Darshan Singh at Village Akbarpur, District Kapurthala; Darshan Singh had expired long back; both the sons of Darshan Singh and Swaraj Kaur, namely Kamaljit Singh and

Sandeep Singh had been residing abroad, however, their wives Rajinder Kaur and Rajdeep Kaur respectively have been staying with their mother-in-law Swaraj Kaur. On intervening night of 3/4.02.2017, the complainant received a telephonic information that his sister Swaraj Kaur had been murdered; hearing that the complainant along with his wife Kuldeep Kaur went to the house of Swaraj Kaur at Village Akbarpur and observed that dead body of Swaraj Kaur was lying on the bed in a room of the house. She had received a head injury caused with a heavy object; in his statement to the police, the complainant had expressed apprehension that Swaraj Kaur had been murdered/got murdered by her daughters in-law Rajinder Kaur and Rajdeep Kaur, since they were not having good moral character and were often visited by strangers to which Swaraj Kaur objected. After recording of the FIR, the matter was investigated, during the course of which, it transpired that Swaraj Kaur had been murdered by Achan Kumar @ Lovely (present petitioner) as well as Gopi along with Rajinder Kaur and Rajdeep Kaur. Achan Kumar @ Lovely had suffered a disclosure statement and got recovered gold ornaments received by him as reward for committing murder of Swaraj Kaur whereas his co-accused Gopi had got recovered datar used for committing murder of Swaraj Kaur. Accused Achan Kumar @ Lovely was arrested in this case. On completion of investigation and other formalities, the challan against the accused was presented in the Court. The trial is almost complete and is at the fag end at the stage of defence

and arguments.

Petitioner/accused had filed a petition for grant of regular bail before the Court of Sessions at Kapurthala, which was dismissed on 01.02.2018. Thereafter, he had approached this Court for seeking regular bail by moving CRM-M-8796-2018, however, that petition was withdrawn by him on 24.07.2019 and it was dismissed as such. Thereafter, the petitioner had filed a similar petition for grant of regular bail before the Court of Sessions, which was dismissed by Addl. Sessions Judge, Kapurthala, vide order dated 17.07.2020. He has now knocked at the door of this Court, craving for his release on bail, which request is being opposed by learned State counsel.

I have heard learned counsel for the parties besides going through the record.

As observed by learned Addl. Sessions Judge, Kapurthala in her order dated 17.07.2020, the prosecution has already concluded its evidence and the trial is at the fag end, likely to be concluded in short time. Under the circumstances, no ground is made out to order release of the petitioner on bail during pendency of the trial. The petition being without merit stands dismissed.

30.07.2020

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(H.S. MADAAN)
JUDGE

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