

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

**208**

**CRM-M-25847-2020  
Decided on : 21.12.2020**

Sajan Singh @ Sajan

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

**CRM-M-35045-2020**

Sumanpreet Kaur

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

**(Through Video Conferencing)**

**PRESENT:** Mr. B.S. Bhalla, Advocate  
for the petitioner (in CRM-M-25847-2020).

Mr. Amit Arora, Advocate  
for the petitioner (in CRM-M-35045-2020).

Ms. Monika Jalota, DAG, Punjab  
assisted by ASI Jatinder Singh.

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**MANJARI NEHRU KAUL, J. (Oral)**

This order shall dispose of CRM-M-25847-2020 and CRM-M-35045-2020, as they arise out of the same FIR No. 82, dated 18.05.2018.

These petitions have been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case FIR No. 82, dated 18.05.2018, under Sections 302, 120-B IPC, registered at Police Station Sultanwind, Amritsar.

Learned counsel for the petitioners have submitted that both the petitioners, who are in custody since 20<sup>th</sup> May, 2018, have been falsely implicated in the case in hand on the basis of totally fabricated and false allegations. It has been further submitted that soon after the deceased –

CRM-M-35045-2020), was found hanging by his uncle – Karam Singh (PW-6), he got recorded his statement before the police that his nephew had committed suicide by strangulating himself with a duppatta and that nobody was at fault, as his nephew (deceased) was under depression, which led him to commit suicide. Still further, it was submitted that it was after a gap of 12 days that the complainant – Prabhjot Kaur, sister of the deceased, got recorded her statement before the police, wherein, she blamed Sumanpreet Kaur and her paramour Sajan Singh @ Sajan (petitioners) for committing the murder of her brother.

Learned counsel have further submitted that as per the postmortem report, it was a case of strangulation and not homicide, as has been alleged in the FIR in question. They have also invited the attention of this Court to the testimony of the witness extra judicial confession i.e. PW-4/Manjinder Singh, who is none other than the husband of the complainant and who did not support the case of the prosecution and was declared hostile.

*Per contra*, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioners, has reiterated the allegations levelled in the FIR against the petitioners. However, she has not been able to controvert the factum of PW-6/Karam Singh not supporting the case of the prosecution and reiterating that the deceased had committed suicide and PW-4/Manjinder Singh, having turned hostile during trial. She has, however, submitted that the prosecution witnesses may have turned hostile on account of their close relationship with the petitioners.

Heard.

In view of the submissions made by learned counsel for the

parties, I deem it a fit case for grant of the concession of regular bail to the petitioners, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioners are admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

**(MANJARI NEHRU KAUL)  
JUDGE**

**December 21, 2020**

*J.Ram*

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