

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-27149-2020 (O&M)

Date of Decision:- 4.12.2020

Harpal Singh @ Hira

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Brijesh Nandan, Advocate for
Mrs. Anupam Bhanot, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.195, dated 13.10.2012, Police Station Sultanwind, District Amritsar, under Section 302 IPC read with Section 25 of Arms Act.
2. The FIR was lodged at the instance of Sandeep Singh wherein it is alleged on 13.10.2012 he alongwith his uncle had gone to Gurudwara to pay obeisance where his father was also present and who after paying obeisance left for home on his motorcycle. It is alleged that the complainant and his uncle started for home shortly thereafter and when they reached the turning point of Kanwar Avenue, they saw the motorcycle of complainant's father lying on the right side of the road

and his father was also lying nearby, who was found to be dead on account of gunshot injuries.

3. The learned counsel for the petitioner has submitted that it is a case of blind murder which had taken place in the year 2012, whereas the petitioner is sought to be nominated as an accused after about 7 years of the alleged occurrence on the basis of a disclosure statement dated 13.5.2019 allegedly made by petitioner Harpal Singh @ Hira and one Harjeet Singh, who were in custody in connection with some other case, to the effect that they had murdered complainant's father Gurdeep Singh. It has been submitted that it is apparently a case of false implication inasmuch as apart from the disclosure statement, which hardly has any evidentiary value, there is no other evidence to connect the petitioner with the alleged murder.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner himself had confessed his guilt in the disclosure statement, no case for grant of bail is made out especially since he happens to be involved in three other cases pertaining to offences punishable under Sections 379, 388 and 395 of Indian Penal Code.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that it is a case of blind murder and the petitioner has been nominated as an accused after about 7 years of the alleged murder on the basis of the disclosure statement allegedly made by the petitioner himself and while also noticing that the petitioner as on date has been behind bars since the last about 1 year and 5 months, further detention of the petitioner will not serve any

useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

December 4, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No