

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

CRM M-27530 of 2020 (O&M)

Date of Decision: September 22, 2020

Pritam Singh

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Manjinder Singh Saini, Advocate
for the petitioner.

Mr. Randhir S. Thind, DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

In this 5th regular bail application of accused/petitioner Pritam moved under Section 439 Cr.P.C. in FIR No. 75 dated 01.05.2016 registered under Sections 302, 342 and 34 IPC registered at Police Station Tanda, District

Hoshiarpur, Punjab, the brief allegations are as follows-

“Complainant Manjit Singh claims that his son Lovepreet Singh a Gym trainer developed illicit relations with co-accused/non-applicant Rajdeep Kaur daughter-in-law of the petitioner, whose husband was residing abroad. It is on 30.04.2016 at night time complainant received a telephonic call that his son (now deceased) was being assaulted at the house of the petitioner and when the complainant rushed he saw petitioner armed with a dattar alongwith co-accused non-applicants Harjap Singh @ Sonu and Saab armed with bamboo stick and Harman Singh armed with handle of Kahi alongwith other persons assaulting the deceased while Rajdeep Kaur had caught hold of the hair of the deceased before the injured could be rescued by the complainant side. The deceased succumbed to his injuries”.

Shri Manjinder Singh Saini, *inter alia* contends that the petitioner is a senior citizen an ex-servicemen and that on account of the summoning of additional persons as accused, the trial is likely to be protracted and co-accused Rajdeep Kaur has been allowed bail by this Court vide order dated 16.02.2018 passed in CRM M-5183 of 2018 and, thus, sought parity on that

score as well.

Mr. Randhir S. Thind, learned State counsel has strongly opposed the bail on the grounds that it is an eye witness account where specific role is attributed to the petitioner in the commission of the offence. The counsel has submitted that if allowed bail, there is every likelihood the petitioner might influence the witness and stifle the trial and has sought to distinguish the principle of parity so claimed.

Going through the submissions there are specific allegations in the eye witness account of the complainant attributed to the petitioner. In view of the specific role of the petitioner and the fact that mere period of incarceration is no ground to allow the bail and in view of the apprehension of the State no ground is made out to allow the bail at this stage.

Petition stands dismissed accordingly.

September 22, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No