

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

CRM-M-32016-2020(O&M)

Date of Decision: 29.10.2020

Loverpreet Singh @ Lovely

....Petitioner

Versus

State of Punjab

....Respondent

(ii) CRM-M-28917-2020(O&M)

Amritpal Singh @ Khasa

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Gursimran Singh Madaan, Advocate
for the petitioner in CRM-M-32016-2020.

Mr. Jitender Nagpal, Advocate
for the petitioner in CRM-M-28917-2020.

Mr. A.S.Sandhu, Additional Advocate General, Punjab.

Mr. Sandeep Chopra, Advocate
for the complainant.

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TEJINDER SINGH DHINDSA.J (ORAL)

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This order shall dispose of **CRM-M- 32016 of 2020 (Loverpreet Singh @ Lovely vs. State of Punjab)** and **CRM-M-28917 of 2020 (Amritpal Singh @ Khasa vs. State of Punjab)** as prayer made in both these petitions is for grant of bail to the petitioners pending trial in case FIR No.50, dated 06.05.2020 under Sections 302, 307, 323, 326, 325, 324,

341, 188, 506, 148, 149 and 120-B of IPC and Sections 51/54 of Disaster Management Act, (Section 3 of the SC & ST Act has been added later on) registered at Police Station Passiana, District Patiala.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Yadvinder Singh, who is the real brother of deceased Bhupinder Singh. Alleged occurrence is stated to be of 05.05.2020 and in which Bhupinder Singh died on account of infliction of a number of stab wounds by a sharp edged weapon. The complainant himself suffered injuries in the occurrence apart from one Balwinder Singh as well.

As per initial version recorded of the complainant, he had named 14 assailants. Apparently, it is in a supplementary statement recorded on 16.05.2020 that the complainant has named another 10 assailants in which the name of the petitioners herein in these two connected petitions figured.

Even as per the supplementary statement, Loverpreet Singh @ Lovely, petitioner in CRM-M-32016 of 2020 was armed with an iron rod and Amritpal Singh @ Khasa, petitioner in CRM-M-28917-2020 was armed with a *danda*/stick.

As per the post mortem report of deceased Bhupinder Singh, cause of death has been opined as cardio respiratory arrest secondary to massive bleeding due to assault with multiple stab injuries.

Even as per the supplementary statement and version recorded of the complainant, both the petitioners herein were alleged to have been armed with blunt weapons.

Contention raised by counsel appearing for the petitioners

would require notice that complainant's version stands dented in as much as, out of 14 assailants named initially in the FIR, 10 have been found to be innocent by the Investigating Agency and as such, not been challaned.

Petitioners were arrested on 17.05.2020.

Insofar as the petitioners are concerned, investigation is complete and challan already stands submitted.

In an overview of the matter and on account of circumstances above noticed, petitioners are held entitled to the benefit of bail.

Petitions are allowed.

Petitioners be enlarged on bail subject to their furnishing bails/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

It is, however, clarified that this Court has not examined the case on merits and the observations made in this order are confined only as regards the consideration of the prayer of the petitioners for grant of bail.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

October 29, 2020

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |