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

**CRM-M No.37274 of 2020
Date of Decision: .04.12.2020**

PREM SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Salil Dev Singh Bali, Advocate
for the petitioner.

Mr. Rana Harjasdeep, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.117 dated 18.10.2018, registered under Sections 304, 342, 148, 149 IPC (later on offence U/s 302 & 364 IPC was enhanced after deleting the offence U/s 304 IPC) at P.S. City Fazilka, District Fazilka.

The occurrence took place on the intervening night of 09/10th of October of 2018. Initially the DDR was recorded for the offences under Sections 323, 148 & 149 IPC. As per MLR,

eight injuries were found on the person of the then injured Sukhwinder Singh, who died later on. The cause of death was acute renal failure.

The allegations are that Sukhwinder Singh was dragged in the house of Jagdish Singh when he was returning after watching Ramleela. The grievance was that Sukhwinder Singh was having some love affair with the daughter of Jagdish Singh. Sukhwinder Singh was tied with a tree and all the accused collectively gave beatings to him.

Learned counsel for the petitioner submitted that co-accused Chhinda Singh @ Jaswinder Singh and Munsha Singh have been granted regular bail vide orders dated 03.11.2020 and 03.12.2020 passed in CRM-M No.33683 of 2020 and CRM-M No.38598 of 2019 respectively.

On the other hand, learned State counsel opposed the bail on the ground that though the accused persons collectively gave beatings to Sukhwinder Singh, but in view of the opinion of the Doctor the cause of death is acute renal failure and multiple injuries as described which are collectively sufficient to cause death in ordinary course of nature.

At this stage without commenting on the merits of the case, in view of bail granted to the co-accused, custody of the petitioner since 24.10.2018, stage of the trial where only 2

prosecution witnesses have been examined so far out of 16 witnesses and also in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

December 04, 2020
Atik

(RAJ MOHAN SINGH)
JUDGE

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