

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52455-2019

Date of Decision: 07.01.2020

Harpal Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Dilpreet Singh Gandhi, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.187 dated 23.10.2018, under Sections 302, 201 and 34 IPC and Section 25 Arms Act, 1959, registered at Police Station Division-B, Police Commissionerate, Amritsar. He is in custody since his arrest on 25.10.2018.

The FIR was registered on the statement given by complainant Balwinder Singh, wherein it was alleged that he retired as Manager from the Co-operative Bank, Amritsar and his elder son Amandeep Singh @ Dedh was doing labour work in Saharanpur (U.P.) and used to reside there, who had come to Amritsar three days back. According to the complainant about 6-7 months ago, his son Amandeep Singh @ Dhed had a fight with Navdeep Singh @ Ballu Chor and Harpal Singh and in that regard, Navdeep Singh @ Ballu Chor had got registered an FIR against Amandeep Singh @ Dhed and others at Police Station Maqboolpura. It was alleged that they used to say that they would kill his son Amandeep Singh @ Dedh. On 23.10.2018 at

7:00 A.M. when the complainant tried to contact his son Amandeep Singh @ Dedh on phone, it was found switched off and at around 8.00 am, he came to know that dead body of his son Amandeep Singh @ Dedh was lying in a vacant plot wrapped in a blanket at New Shaheed Udham Singh Nagar. The complainant expressed suspicion that Navdeep Singh @ Ballu Chor and Harpal Singh intoxicated his son to death and threw his dead body in the vacant plot.

Learned counsel for the petitioner contends that the victim died of over dose of drugs. He submits that the role attributed to the petitioner was that he caught hold of the arms of the victim, whereas the other two accused administered the intoxication. It is further contended that initially, two accused Gurpreet Singh @ Bamb and Narvinder Singh @ Kala Ramadi were arrested, who confessed the commission of crime before police. The case is based on circumstantial evidence, which is weak in nature. He submits that only 2 witnesses, including the complainant, have been examined out of total 23 witnesses and the trial is likely to consume considerable time and therefore, further custody of the petitioner may not be justified. He further submits that co-accused Navdeep Singh @ Ballu Chor has been released on regular bail vide order dated 27.09.2019 (Annexure P-3).

On the other hand learned State counsel, who is assisted by ASI Raj Kumar has opposed the prayer on the ground that the petitioner is named in the FIR. However, it is not disputed that only 2 witnesses, including the complainant, have been examined out of total 23 witnesses and co-accused Navdeep Singh @ Ballu Chor has already been released on regular bail by this Court.

Considering the above and the examination of the complainant before the Court, keeping in view the custody of the petitioner and the fact that the trial would consume considerable time, therefore, further detention of the petitioner may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court Amritsar.

The petition is allowed.

07.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No