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

\*\*\*

**CRM-M-2083-2021**

**Date of decision: 07.12.2021**

Simranjeet Singh @ Sahib Singh

Petitioner

Versus

State of Punjab

Respondent

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

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

Mr. V.G. Jauhar, Senior Deputy Advocate General, Punjab.

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**AVNEESH JHINGAN, J (Oral):**

[1] This petition under Section 439 Cr.P.C. is filed seeking regular bail in F.I.R. No. 82, dated 1<sup>st</sup> October, 2018, under Sections 302, 506, 148 and 149 IPC, registered at Police Station Bahav Wala, District Fazilka.

[2] F.I.R. was registered by Gulab Singh alleging that on 30<sup>th</sup> September, 2018, Labh Singh, Hardeep Singh, Gursewak Singh and Bhupinder Singh came to his house on tractor-trolley and asked his father Iqbal Singh to come alongwith them to get *toodi* (fodder) from the farms of Labh Singh. The complainant and his nephew followed the tractor-trolley. On reaching near farms of Labh Singh, complainant saw that Manjeet singh, Laddi, Simranjeet Singh @ Sahib Singh (petitioner) and Lovepreet Singh were giving beatings to father of the complainant.

He was taken to Civil Hospital, Abohar but was referred to GGS Medical College, Faridkot where he died during the treatment.

[3] Learned counsel for the petitioner submits that petitioner is in custody since 1<sup>st</sup> October, 2018. No specific role is attributed to the petitioner. The co-accused were granted anticipatory or regular bail by this Court. It is further argued that father of the complainant died due to cardiac arrest occurred during treatment in the hospital. He relies upon MLR to submit that injuries were on non-vital part and it is highly debatable as to whether offence under Section 302 IPC was made out or not.

[4] Learned State counsel opposes the prayer for grant of bail and submits that as per Post Mortem Report cause of death was hemorrhage and shock as a result of multiple injuries consequent upon blunt force impact. He, on instructions from ASI Surinder Singh, submits that there are twenty-six prosecution witnesses and two were examined but there is summoning under Section 319 Cr.P.C., the trial will start *de novo*.

[5] Considering the nature of allegations against petitioner, custody period and the facts that there is no headway in the trial, co-accused were granted bail and conclusion of trial is likely to take time, the petitioner is granted bail subject to furnishing adequate bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[6] The petition is allowed.

[7]            However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]  
JUDGE

7<sup>th</sup> December, 2021  
*pankaj baweja*

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|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable         | : | Yes /No |