

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5190-2021

DATE OF DECISION: FEBRUARY 11, 2021

RAJWINDER SINGH @ RAJDEEP @ RAJU ...PETITIONER

VERSUS

STATE OF HARYANA ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. GAURAV ANTWAL ADVOCATE FOR THE PETITIONER.
KANWAR SANJIV KUMAR, AAG, HARYANA.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.110 dated 24.11.2019, under Sections 148, 149, 323 and 341 IPC, 1860 (Sections 325, 307 and 302 IPC added later on), Police Station Rori, District Sirsa. The petitioner is in custody since his arrest on 08.01.2020.

The FIR was registered on the statement of Ranjit Kaur wife of Angrej Singh, who stated that on 21.11.2019, her son Sukhman Singh and Lovepreet Singh went to the house of her Aunt at Muktsar. Thereafter on dated 22.11.2019, she came to know that her son suffered injuries on feet, left hand and head and was admitted at Neuro Care Hospital, Sirsa. She went there and found her son unconscious. She further stated that Lovepreet told her that when on the intervening night of 21/22.11.2019 at 3.00/4.00 a.m., he and Sukhman went to the house of Murti on their motorcycle, Janta Singh s/o of Uggar Singh and Sukhjant Singh s/o Uggar Singh alongwith 3-4 persons stopped them and started fighting with them

and hit with a wooden danda and he also got injury on his foot. According to the complainant, Janta Singh, Sukhjant Singh alongwith unidentified persons gave injuries to her son Sukhman Singh and Lovepreet Singh, and the motive was that Sukhman Singh was having a love affair with the daughter of Janta Singh. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that the co-accused of the petitioner, who are similarly situated have already been released on bail and has drawn the attention of the Court to the said orders (Annexures P-4 to P-6). He submits that neither the petitioner was named in the FIR, nor any motive has been assigned to him and as per the allegations, co-accused Janta Singh alongwith unknown persons caused injuries to the victim, who suspected illicit relations between his daughter and the deceased. According to him, the petitioner has been indicted as an accused on the statement of the co-accused and has been attributed an injury on the left leg of the victim. He further submits that the victim was admitted in hospital on 21.11.2019 and was discharged on 16.12.2019, but he died on 20.12.2019 because of “Septicemia”. He prays for bail.

On the other hand, learned State counsel assisted by SI Gurmeet Singh, has opposed the prayer. However, it is not disputed that the co-accused of the petitioner, namely, Jaswinder Singh has already been granted the concession of regular bail by this Court.

Considering the above background, custody of the petitioner and the fact that the co-accused of the petitioner has been released on bail, this Court does not find any reason to further detain the petitioner behind

the bars, as the trial is likely to consume considerable time to conclude. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Sirsa.

February 11, 2021
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No
Whether Speaking/Reasoned : Yes/No