

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.9071 of 2021 (O&M)
Date of Decision.28.04.2021
(HEARD THROUGH VC)

Kuldeep Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in case FIR No.22 dated 29.01.2020 under Sections 302, 341, 323, 427, 506, 120-B IPC and Sections 25, 27, 54, 59 of the Arms Act registered at P.S. Sadar, Patiala, District Patiala.

Mr. Bipan Ghai, learned senior counsel assisted by Mr. Paras Talwar, Advocate would argue that FIR was registered on the statement given by one Gian Singh that eight persons in the Innova car hit upon the motor cycle being driven by his son, Gurdip Singh, causing the motor cycle to fall down and when his son tried to run away, an Audi car with four persons in it followed and opened fire upon him, which resulted in his death. It is further argued that after a period of nine months, supplementary statement was got recorded by the complainant wherein it was stated that he has come to know the names of boys travelling in Innova car and the petitioner was one of them. It has further been stated that murder of his son

was committed upon instigation and in conspiracy with Dhanpati wife of Ranjit Singh and Naseeb Chand son of Ranjit Singh. It is further submitted that other than being present in the car, no other role has been attributed to the petitioner in the FIR or the challan presented. No recovery has been effected from him. The challan stands presented, however, charges are not being framed on account of COVID-19 pandemic situation. The trial is likely to take some time to conclude and therefore, prays for concession of bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State on instructions from ASI Surinder Singh would submit that the petitioner herein has been named as one of the persons present in the alleged Innova car, which had hit upon the motor cycle being driven by the deceased.

I have heard learned counsel for the parties. Keeping in view the fact that the challan stands presented and owing to COVID-19 pandemic, the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond of Rs.5 lakhs to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

April 28, 2021
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No