

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

213

CRM-M-11714-2020

Date of Decision:15.11.2020

PAWAN KUMAR SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jasraj Singh, Advocate
for the petitioner.

Mr. H.S.Multani, AAG, Punjab

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through this petition, petitioner prays for grant of regular bail in case bearing FIR No. 62 dated 29.06.2018 registered under Sections 302, 201 of the IPC, at Police Station Mahilpur, District Hoshiarpur.

Learned counsel for the petitioner states the petitioner being a migrant labourer and had been working in the Haveli of the complainant for the last 4-5 years; that the petitioner has falsely been involved in the present case by alleging that the hair of the petitioner were found in the hands of the deceased i.e. Harman Sandhi and that the petitioner has been in custody since 30.06.2018. He further submits that the factum of the hair of the petitioner having been found in the hands of the deceased was belied by the testimony of the Doctor, who, while stepping into the witness box, has stated that no hair were found.

Per contra, learned State counsel while opposing the prayer for grant of regular bail to the petitioner has submitted that the petitioner murdered

the deceased, who was a minor aged about 6 years, by strangling his neck with a black wire, which is used for tying heap of chaff. He further submits that since there are serious and grave allegations against the petitioner, he does not deserve the concession of regular bail. Still further, it is submitted that as per the DNA report Exhibit XA, the hair taken from the hands of deceased, namely, Harman Sandhi, sent for analysis, were found to be that of the petitioner.

I have heard the learned counsel for the parties.

The offence committed is very grave and had resulted into death of a minor child. Thus, merely because the petitioner has been in custody since 30.06.2018, is no ground to release on bail. Yet, further, the possibility of the petitioner absconding or influencing the prosecution witnesses, if enlarged on bail, cannot be ruled out.

Keeping in view the gravity of the offence, no case is made out for grant of regular bail to the petitioner.

Dismissed.

15.11.2021
Renu Rawat

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*