

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

**CRM-M-16410-2021
DECIDED ON: 27th APRIL, 2021**

IQBAL MOHMAD @ PALA

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Amandeep Kaur Gill, Advocate
for Mr. H.S. Brar, Advocate
for the petitioner.

Ms. Monika Jalota, D.A.G., Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in case FIR No.43 dated 19.08.2018 registered under Sections 302, 201 read with Section 34 of the Indian Penal Code, 1860 at Police Station City Morinda, District Rupnagar.

The FIR was registered at the behest of Gian Singh. There were allegations that there was some matrimonial dispute between Rajinder Singh, his son and Karamjit Kaur (daughter-in-law). The grand daughter had started living with her father. On 23.07.2018, the complainant received a phone call from the grand daughter that her father left the house

at 1.30 a.m and had not returned back. It was alleged that Rajinder Singh was not having cordial relationship with his brother-in-law. Hence, the investigation was sought for. During the investigation, it revealed that Jatinderpal Singh @ Mantri (brother-in-law) had made an extra judicial confession before Narinder Singh, Sarpanch that he along with his nephew Gursimran Singh and one Pala @ Iqbal Mohmad (petitioner) had murdered Rajinder Singh. The petitioner was arrested in an NDPS case, wherein, during investigation, he confessed his guilt and got recovered the driving licence and passbook of HDFC Bank of Rajinder Singh.

Learned counsel for the petitioner submits that co-accused of the petitioner, namely, Gursimran Singh and Jatinderpal Singh @ Mantri have been granted bail by this Court vide separate order dated 10.05.2019 passed in **CRM-M-16988-2019** and order dated 18.08.2020 passed in **CRM-M-22294-2020**, respectively. The dead body is not recovered yet. The investigation is complete. The challan stands presented.

Learned counsel for the respondent-State opposes the bail on the ground that the driving licence and bank passbook of the deceased were recovered at the instance of the petitioner. She further submits that the petitioner was declared as a proclaimed offender in the year 2018 and thereafter, he was arrested.

The allegations mainly were against Jatinderpal Singh @ Mantri, brother-in-law of the deceased. As per the case set up, the petitioner and other co-accused were accomplices. Jatinderpal Singh @ Mantri has already been granted bail. The petitioner is behind bars since 17.06.2020. The investigation is complete, challan stands presented but conclusion of the trial is likely to take time.

offender, he is ordered to be released on bail subject to his furnishing surety bonds of Rs.75,000/- to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

However, it is clarified that nothing stated here-in-above shall be construed as an expression of opinion on the merits of the case.

27th APRIL, 2021

gurpreet

**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*