

In virtual Court

CRM-M-15503-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 29.07.2021

1. CRM-M-15503-2020 (O&M)

Akashpreet Singh @ Laddi

... Petitioner

Vs.

State of Punjab

... Respondent

2. CRM-M-39648-2020 (O&M)

Karamvir Singh @ Krishan Singh and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Brar, Advocate
for the petitioner (in CRM-M-15503-2020).

Mr. Yuvraj, Advocate for
Mr. Rahul Sharma, Advocate
for the petitioners (in CRM-M-39648-2020).

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-M-15503-2020

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CRM-19519-2021 in CRM-M-15503-2020
CRM-20498-2021 in CRM-M-39648-2020

For the reasons stated in the applications, same are allowed and date of hearing fixed in the main case(s) is preponed from 24.08.2021 to today.

CRMs stand disposed of.

CRM-M-15503 & 39648-2020

Prayer in both these petitions is for grant of regular bail to petitioners Akashpreet Singh @ Laddi, Karamvir Singh @ Krishan Singh and Bharti Singh @ Dharam Singh, in FIR No.103 dated 28.05.2019 under Sections 302, 201, 120-B, 149 IPC, registered at Police Station Nathana, District Bathinda.

Learned counsel for the petitioners submit that the FIR was registered at the instance of one Naib Singh with the allegations that his son Ram Singh had absconded from the house, as he was involved in a murder case registered against him. The complainant was persuading him to appear before the police and by agreeing to the same, he came to the village on 22.05.2019. The complainant made him to sit in his fields so as to produce him before the police in the next morning. In the meantime, four persons namely Jaman Singh, Balyadpreet Singh @ Yadi, Lakhvir Singh @ Lakha and Karamjit Singh came in Swift car bearing registration No.PB-29-5867. Jaman Singh, Lakhvir Singh @ Lakha and Balyadpreet Singh @ Yadi were carrying pistols in their hands and Karamjit Singh was holding a double barrel gun. They asked Ram Singh to accompany them. On this, Ram Singh said that he is going to surrender before the police. All of them threatened his son and made him to sit in the car against

his consent. Thereafter, whereabouts of Ram Singh are not known and the complainant, by making communication with his family, friends and relatives, tried to locate him. In the meantime, the accused named above told him that they have eliminated his son Ram Singh. The police, thereafter, arrested aforesaid four accused persons.

Learned counsel for the petitioners further submit that on the basis of supplementary statement of the complainant, petitioners Karamvir Singh @ Krishan Singh, Bharti Singh @ Dharam Singh and Akashpreet Singh @ Laddi were also nominated and they were arrested. It is further submitted that the petitioners have been nominated later on, after a gap of 10 days of the incident and even the FIR was registered after 06 days. It is also submitted that the investigation is complete and nothing is to be recovered, as it is case of the prosecution that dead body was not recovered and it was cremated, as an unclaimed body. It is next submitted that the petitioners are in long custody, therefore, they may be released on regular bail.

Learned State counsel has filed the status report by way of affidavit of Deputy Superintendent of Police, Sub Division Bhuchio, District Bathinda filed in the Court today, in which details of the investigation carried so far are given. It is stated in the affidavit that on 02.06.2019, the complainant made a supplementary statement, in which he named the petitioners as three additional persons, who were accompanying four main accused. It is also stated that the petitioners came on a Pulsar motorcycle and because of darkness, the complainant could not see the registration number. It is further stated that on

31.05.2019, Inspector Amritpal Singh, Incharge, CIA Staff, Bathinda along with police party was looking for Jaman Singh etc. in Mour and Talwandi Sabo area, when he received information about accused Jaman Singh, Karamjit Singh @ Kulwinder Singh and Karamveer Singh @ Krishan Singh being present in a nearby village. After taking assistance from SHO, Police Station Jhunir, a raid was conducted in the village, where accused Jaman Singh, Karamveer Singh and Karamjit Singh @ Kulwinder Singh started firing upon the police party and bullet also hit the bullet-proof jacket of Inspector Amritpal Singh and on the basis of his statement, FIR No.70 dated 31.05.2019 under Sections 307, 336, 353, 212, 216-A, 148, 149 IPC and Section 25 of Arms Act was registered at Police Station Jhunir against Jaman Singh, Karamjit Singh @ Kulwinder Singh and petitioners Bharti Singh, Akashpreet Singh and Karamveer Singh. The accused were arrested in aforesaid FIR No.70. One 32 bore pistol along with two empty and one live 32 bore cartridges were recovered from accused Karamjit Singh @ Kulwinder Singh. One 12 bore double barrel gun along with two empties and two live 12 bore cartridges were recovered from accused Bharti Singh. One 12 bore double barrel hockey shaped gun along with two empties were recovered from accused Akashdeep Singh. One 315 bore country made pistol and one live cartridge 315 bore was recovered from accused Karamveer Singh and one 315 bore rifle along with one gun 12 bore hockey typed two country made pistols 315 bore along with one Swift car white colour bearing registration No.PB-29Y-5867, Honda City car bearing registration No.HR-20Q-0990 were also recovered.

Learned State counsel further submits that in pursuance to arrest of the petitioners, incriminating evidence has come against them, as recovery of firearms, cartridges, empties along with certain other articles was effected, which connect them with the commission of offence. It is also submitted that petitioner Akashpreet Singh @ Laddi is involved in two FIRs under Section 307 IPC and one FIR under Sections 341, 323 IPC and is not a person of clean antecedents. Learned State counsel, on instructions from the Investigating Officer, has further submitted that the case is now fixed for recording the prosecution evidence and statements of the complainant and other private witnesses are yet to be recorded and in case the petitioners are granted the concession of regular bail, they may try to influence the prosecution witnesses.

After hearing learned counsel for the parties and considering the allegations against the petitioners as well as recovery effected from them, I find no ground to grant concession of regular bail to the petitioners.

Accordingly, both these petitions are dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

29.07.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No