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

CRM-M-27761-2020

Date of decision : 02.03.2021

Pippal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Piyush Sharma, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail in case bearing FIR No.61 dated 10.07.2019 registered under Sections 452, 323, 506, 148, 149 of the Indian Penal Code, 1860 (Section 302 IPC added later on) at Police Station Ghal Khurd, District Ferozepur.

The petitioner is an old man of 57 years . Initially, the FIR was registered for the offences under Sections 452, 323,

506, 148, 149 of the Indian Penal Code against Lovepreet Singh, Pippal Singh (present petitioner), Sukhwinder Singh, Jasvir Kaur and Kiranjeet Singh, on the statement of Dalbir Singh-complainant.

As per the allegations, Lovepreet Singh was armed with *gandasa*, Kiranjeet Singh was empty handed whereas, Jasvir Kaur, Pippal Singh (petitioner) and Sukhwinder Singh were armed with *daang*. All the accused made forcible entry in the house of the complainant and thereafter Kiranjeet Singh caught father of the complainant namely Harbans Singh. Lovepreet Singh inflicted *gandasa* blow at the backside of the head of Harbans Singh, Pippal Singh inflicted the *daang* blow on the left hand and little finger of left hand of Harbans Singh. Harbans Singh (father of the complainant), made hue and cry. The complainant and his mother tried to save Harbans Singh from the clutches of the accused, then Sukhwinder Singh inflicted a *daang* blow on the left wrist and on right elbow of the complainant. Thereafter, all the assailants ran away from the spot. Harbans Singh died on 11.07.2019 and offence under Section 302 IPC was added vide DDR No.11 dated 11.07.2019.

Learned counsel for the petitioner submits that the petitioner-Pippal Singh was armed with *daang* and he allegedly inflicted a *daang* blow on the left hand and little finger of left

hand of Harbans Singh. The injury was on non-vital part of the body. The petitioner is in custody since 02.09.2019. After framing of the charges, no prosecution witness has been examined so far.

As per postmortem report, the cause of death is due to “Cranio Cerebral Damage Consequent Upon Blunt Trauma to Head”.

Keeping in view the period of custody, the part attributed to the petitioner and the stage of the trial, I deem it appropriate to enlarge the petitioner on regular bail without meaning anything on merits of the case.

In view of above, the petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

02.03.2021

Pawan

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No