

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

**CRM-M-11841-2021
Date of decision: 04.02.2022**

Simranjit Singh @ Shimba @ Simarjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. H. S. Batth, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 51 dated 25.05.2017, registered under Sections 302, 34 of the IPC at Police Station Sarhali, District Tarn Taran.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Mukhtar Singh, it is stated that on 24.05.2017 at about 10.30 PM, the complainant came to his house and found that his son Charanjit Singh was not there, upon which, he inquired from his wife Lakhwinder Kaur, who told him that Charanjit Singh had left the house at about 9.30 PM and had not returned back. In the morning, the complainant searched for his son and tried to contact him on his mobile number 8198823650, however, he could not be contacted. At about 7.00 PM, the nephew of the complainant, namely Kawaljit Singh, saw a dead body of an unidentified person near the place of Baba Guddar Shah. Thereafter, the complainant along with his brother

Harbans Singh and others reached the said place and found that dead body of Charanjit Singh smeared with blood and having multiple injuries.

Learned counsel for the petitioner further submits that the FIR was registered against the unknown persons and the petitioner was not named and he was later on arrested only on the disclosure of co-accused Paramjit Kaur @ Pammi that she was having intimacy with deceased Charanjit Singh and had called him at the said place and after putting chili powder in the mouth of Charanjit Singh, the petitioner has caused injuries to him.

Reply, filed by way of the affidavit of the Investigating Officer, is on record. In the reply, it is stated that it is the petitioner and co-accused Paramjit Kaur @ Pammi, who had called Charanjit Singh to the aforesaid place at midnight. The petitioner hidden himself in dark and when Charanjit Singh came to meet co-accused Paramjit Kaur @ Pammi, he came there and co-accused put chili powder on the mouth of Charanjit Singh. Thereafter, the petitioner gave *gandasi* blow on the head of Charanjit Singh and he fell down on the ground. Thereafter, the petitioner gave another *gandasi* blow on his head and took out the knife from his pocket and gave 6-7 blows with the same on the stomach of Charanjit Singh and even co-accused also gave him blows on his chest with the said knife and later on, with the help of a piece of cloth, Charanjit Singh was strangled.

Learned State counsel submits that even the manner in which the offence was committed has come in the disclosure of aforesaid co-accused.

It is further stated in reply that during investigation, the knife, *gandasi*, clothes of Charanjit Singh and blood stained samples from earth

were taken and sent to FSL and the evidence co-relates with the petitioner. It is further stated that five prosecution witnesses have been examined and they are supporting the prosecution version.

In reply, learned counsel for the petitioner submits that the petitioner is in judicial custody for the last more than four years.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that there are serious allegations against the petitioner of conspiring with aforesaid co-accused and then causing fatal injuries to deceased on his head and stomach with a knife and *gandasi*, I find no ground to grant him the concession of regular bail.

Accordingly, the present petition is dismissed.

04.02.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No