

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-13186-2022

DATE OF DECISION: APRIL 4, 2022

GURPREET SINGH @ GOPI	...PETITIONER
VERSUS	
STATE OF PUNJAB	...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. S.S. JATTAN, ADVOCATE FOR THE PETITIONER.
MR. RAMANDEEP SINGH SANDHU, SR.DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.16 dated 17.3.2017, under Section 148, 149, 302 IPC, Police Station Sarai Amanat Khan, District Tarn Taran, who is in custody since his arrest on 18.3.2017.

As per the allegations levelled in the FIR, on 16.3.2017, at about 7.30 p.m. when all family members were dancing in the courtyard as part of marriage celebrations of a relative, Balwinder Singh caught hold the hand of daughter of Jaswant Singh and alongwith him, Ranjodh Singh also started dancing. On seeing the same, the groom Manpreet Singh @ Babbu, Sarandeep Singh, Gurjant Singh, Gurpreet Singh and Jaswant Singh @ Jassa infuriated and gave beatings to Balwinder Singh and Ranjodh Singh with dangs, sotas and datar on head and mouth. On raising hue and cry, they fled away. Conveyance was arranged for taking Balwinder Singh and Ranjodh Singh to the hospital, but both of them died on the way. On these broad allegations, the present FIR was registered.

Learned counsel for the petitioner has argued that the alleged occurrence took place at a marriage function when victim Balwinder Singh

and his uncle Ranjodh Singh caught hold the hands of the daughter of the co-accused. He submits that the petitioner is in custody for the last more than 5 years and the material witnesses, i.e. the complainant and the eye witnesses have been examined. He further submits that the co-accused of the petitioner, namely, Sarandeep Singh @ Saran and Jaswant Singh @ Jassa have already been released on regular bail by this Court. He prays that he be also released on bail.

On the other hand, learned State counsel assisted by ASI Heera Singh has opposed the aforesaid prayer, however, it is not disputed by him that material witnesses have been examined and the co-accused have already been granted regular bail by this Court.

Considering the above background, the custody of the petitioner, and the fact that material witnesses have already been examined and the co-accused of the petitioner have also been released on regular bail, therefore, further detention of the petitioner may not be necessary for any useful purpose, as the trial would take considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

April 4, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No