

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-15472-2022 (O&M)
Date of Decision:-18.7.2022

Ramandeep Singh @ Ramna

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.S. Brar, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Arjan Singh.

Mr. Arshpreet Khadial, Advocate for the complainant.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.062 dated 21.6.2021, Police Station Maur, District Bathinda, under Sections 302, 452, 506, 148, 149 of Indian Penal Code and Sections 25 and 27 of Arms Act.
2. The FIR was registered at the instance of Gurbhai Singh, wherein it is alleged that he is having a house as well as landed property in his ancestral village Maur Khurd. It has been stated that they are four brothers and that his younger brother Darshan Singh has a house adjacent to his house and resides in the village. However, the complainant had started residing in Patiala about

40 years back and that in his absence his nephew Paramjit Singh @ Shammy takes care of his property. On 21.6.2021, he alongwith his wife Ramanjit Kaur and his son Parampreet Singh @ Garry went to their village Maur Khurd as a demarcation was to be conducted in respect of his land and the same was got conducted with the association of his brother Darshan Singh. Shortly thereafter, Gopi, Lucky Pandit residents of Bathinda, Kindu resident of Kishanpura accompanied by another unidentified person came there in a white coloured i-20 car. Upon demarcation of complainant's land, a portion of land measuring 10 marlas was found to be in possession of complainant's brother Darshan Singh. While they were affixing/installing marks on the demarcated land, an altercation took place amongst Darshan Singh, Gopi etc. and complainant, his son Parampreet Singh @ Garry etc. Darshan Singh raised a '*lalkara*' while stating that the dead-bodies of complainant and others shall go back loaded in a cart. After the said altercation, the complainant and others went to their house. At about 12:30 p.m., when the complainant, his son Parampreet Singh @ Garry, his wife Ramanjit Kaur and his nephew Paramjit Singh were present in their house, then Ravi Inder Singh @ Lali, Raghvir Singh (son-in-law of Darshan Singh) and the unidentified person, who had come in a white coloured i-20 car, entered their house. It is alleged that Raghvir Singh was carrying a 12 bore gun. Gopi and Lucky Pandit armed with 12 bore gun, Kindu and Darshan Singh also entered their house. Darshan Singh raised a '*lalkara*' exhorting his companions that the complainant and others be not spared. Upon which Lucky Pandit fired from his gun towards the complainant. The complainant held the barrel and forced the same towards ground and consequently the fire hit the ground, though the complainant sustained injuries on his right hand.

In the meantime, Ravi Inder Singh @ Lali took out a pistol from his belt and fired towards complainant's son Parampreet Singh @ Garry. The other accused also raised '*lalkaras*' and fired in the air from their respective weapons and left the place of occurrence in white coloured *i-20* car. Darshan Singh left the place of occurrence in a white coloured Verna car. The complainant's son Parampreet Singh @ Garry, who was injured, was rushed to hospital, where he was declared dead.

3. Learned counsel for the petitioner submitted that the petitioner is nowhere named in the FIR and has falsely been nominated as an accused on the basis of a disclosure statement made after about 9 months of the occurrence in question and that apparently the same is an after thought so as to involve more accused. It has been submitted that no credibility can be attached to such like supplementary statement made by the complainant on 25.3.2022.
4. On the other hand, learned State counsel assisted by learned counsel for the complainant has submitted that no doubt it is correct that the petitioner is not specifically named in the FIR but a perusal of the FIR would indicate that it is specifically stated therein that the accused Darshan Singh, Ravi Inder Singh @ Lali, Raghvir Singh, Gopi, Lucky Pandit and Kindu were accompanied by one unidentified person, who had come to the place where demarcation had taken place in a white coloured *i-20* car. It has been submitted that it is the said unidentified person mentioned in the FIR, who has later been identified to be Ramandeep Singh. Learned State counsel has further informed that in the supplementary statement recorded on 12.4.2022, the complainant Gurbhai Singh has clarified that on 24.3.2022, when he had gone to the Courts at Bathinda to meet his counsel, then he noticed

Ramandeep Singh in front of the Court of Shri Harjot Singh Gill and upon seeing him he was immediately able to identify him to be the accused, who had participated in murdering his son. The complainant stated that at that time he was wearing a mask and slowly followed said Ramandeep Singh, who entered in the court-room of Shri Harjot Singh Gill, where the Presiding Officer asked about the name of said Ramandeep Singh and it was then, when he disclosed about the same that the complainant came to know about his name. Later upon inquiries made by the complainant, he came to know that said Ramandeep Singh was involved in a case registered vide FIR No.64 dated 6.9.2021, under Sections 307, 384, 436, 506/34 of Indian Penal Code and Sections 25 and 27 of Arms Act, Police Station Tharmal, Bathinda. After finding out the address of said Ramandeep Singh, the complainant had nominated Ramandeep Singh as an accused in his supplementary statement recorded on 25.3.2022. Learned State counsel has further submitted that infact the prosecution had also been able to collect video recording of the place of occurrence, wherein also said Ramandeep Singh is shown in the video recording.

5. I have considered rival submissions addressed before this Court.
6. It is certainly not in dispute that the petitioner is not specifically named in the FIR. However, the complainant apart from naming Darshan Singh, Ravi Inder Singh @ Lali, Raghvir Singh, Gopi, Lucky Pandit and Kindu has stated therein that the said persons were accompanied by one unidentified person, who had come in a white coloured *i-20* car. The petitioner came to be nominated as an accused on 25.3.2022 in the supplementary statement made by the complainant. The complainant has sufficiently explained the manner

and circumstances under which he came across the petitioner in the Court Complex, Bathinda while he was appearing in respect of another FIR i.e. FIR No.64 dated 6.9.2021. Unlike many other cases, which one comes across, the present case is not such where a large number of accused have been roped in or a scope for involvement of a large number of accused is made by stating that the named accused were accompanied by several other unidentified persons but the complainant has very conservatively stated that accused Darshan Singh, Ravi Inder Singh @ Lali, Raghvir Singh, Gopi, Lucky Pandit and Kindu were accompanied by one unidentified person and which does inspire confidence.

7. As such, having regard to the nature of offence and the aforesaid factual position, this Court is of the opinion that custodial interrogation of the petitioner would be required to unearth all the finer details and also to get recovered the vehicle, which was used for fleeing from the place of occurrence. The petition, as such, is sans merit and is hereby dismissed.

18.7.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No