

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

CRM-M No.26957 of 2020 (O&M)
Date of Decision.09.02.2022
(Heard through VC)

Gurpal Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Amandeep Singh, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in FIR No.133 dated 20.10.2018
registered under Sections 302, 34 IPC at Police Station Doraha, Khanna,
District Ludhiana.

Learned counsel for the petitioner would contend that this is a
case of planned murder and the petitioner has been falsely implicated in the
said matter. It is argued that as stated in the FIR, the cause of enmity is
shown to be that Jaspreet Singh @ Jassa, who was a neighbour of deceased-
Avtar Singh had a suspicion that Avtar Singh was having a bad eye upon his
sister-Kamaljit Kaur as they were both studying together and therefore, with
the help of his friend, Gurpal Singh, he murdered Avtar Singh. It is argued
that Jaspreet Singh @ Jassa has been allowed regular bail on the
presentation of challan, while further contending that statements of material
witnesses have been recorded and rest are official witnesses.

Learned counsel appearing on behalf of the respondent-State

opposes grant of regular bail to the petitioner even though he has been in custody for 3 years 3 months by contending that there is enough evidence to establish that the petitioner herein is the main accused, who had inflicted all injuries upon the deceased. It is further contended that the weapon has been recovered from the house of the petitioner, apart from FSL report, which establishes blood of the deceased upon his trouser.

I have heard learned counsel for the parties and have perused the paper book and find no ground to grant regular bail to the petitioner, even though the Coordinate Bench has granted regular bail to Jaspreet Singh. The said bail was granted considering the fact that under COVID pandemic, courts were not proceeding with the trial. It is not the position right now. The FSL report would also show human blood on trouser of petitioner, which has been matched with that of the deceased-Avtar Singh. Consequently, the instant petition stands dismissed. However, the trial court is directed to conclude the trial expeditiously. Any observations made herein are purely for the purpose of deciding the bail application and shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 09, 2022
Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No