

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

236

CRM-M-36385-2022 (O&M)

Date of Decision: 14.11.2022

Lachhman Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. J.K.Singla, Advocate,
for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.467 dated 30.12.2019 at Police Station Sadar Mansa, District Mansa, under Sections 302/120-B IPC.
2. The allegations, in nutshell, as levelled by the complainant are that the deceased Roop Singh was his brother and that co-accused Manjit Kaur, wife of his brother Roop Singh (deceased), who in conspiracy with her paramour Lachhman Singh (petitioner), had administered poison to her husband Roop Singh by mixing the same in eggs.
3. Learned counsel for the petitioner has submitted that the petitioner admittedly was never ever present at the spot and that even as per the case of the prosecution, it is the co-accused Manjit Kaur, who had

administered poison to her husband by mixing the same in eggs. It has been submitted that the petitioner has been nominated as an accused with the aid of 120-B IPC, whereas there is no such evidence to connect him with the alleged occurrence.

4. Opposing the petition, learned State counsel has submitted that it is a case where the co-accused Manjit Kaur was having an extra marital affair with the petitioner and that both had conspired together to eliminate Roop Singh (husband of co-accused Manjit Kaur) and that it was pursuant to the said conspiracy that co-accused Manjit Kaur gave effect to the same and administered poison to her husband leading to his death. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last more than 1 year & 1 month and that he is not involved in any other case. It has also been informed that as on date 6 PWs out of cited 15 PWs stand examined.
5. This Court has considered rival submissions.
6. Admittedly, it is not the petitioner, who had administered poison to the deceased Roop Singh and it is the co-accused Manjit Kaur, wife of Roop Singh, who had administered the same by mixing the same in the eggs. The petitioner was never ever present at the spot when the occurrence took place and has been nominated as an accused with the aid of Section 120-B IPC being a paramour and conspirator. The petitioner has been behind bars for a substantial period of more than 1 year & 1 month. Conclusion of trial is likely to consume time. In these circumstances particularly the fact that the petitioner was never present at the spot when the occurrence took place, the petition is accepted and the petitioner is

ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14.11.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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