

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40534-2022
Decided on : 27.09.2022

Ranjit Singh @ Saabha

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. M.D.Khan, Advocate
for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

This is the second petition filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.43 dated 24.09.2017 under Section 365 and 120-B IPC (Sections 302 and 201 IPC added later on) registered at Police Station Ghanie Ke Bangar District Gurdaspur as the previous petition was dismissed on 23.08.2022.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand and has now been in custody for more than three years having been arrested on 21.04.2019. He submits that the case rests on circumstantial evidence and there was no motive on the part of the petitioner to commit the murder of Amarjit Kaur. He further submits that there was no evidence on record to even show that Amarjit Kaur had died. It has also been submitted that there was a delay of almost six months in lodging the FIR in question, which was registered at the

instance of the father of the deceased, which lent credence to the false implication of the petitioner.

Per contra, learned State counsel on instructions from SI Harinder Singh while opposing the prayer and submissions made by the counsel opposite submits that the petitioner and the deceased, who was a married woman, had been in a relationship. However, since the deceased had left the petitioner and had again started living with her husband, the petitioner had been nursing a grudge against her and finally he strangled the deceased before throwing her in a canal. He further submits that the petitioner suffered an extra judicial confession to the said effect before one Harbhajan Singh, who was a relative of the deceased and while stepping into the witness box, he had supported the case of the prosecution. It has also been submitted that even in the FIR the complainant had raised a suspicion about the involvement of the petitioner in the disappearance of his daughter i.e. deceased. Learned State counsel still further submits that no doubt, the petitioner has been in custody since 21.04.2019, however, since all the material witnesses stand examined and only formal witnesses remain to be examined the trial would conclude shortly.

Heard learned counsel and perused the relevant material available on record.

No doubt, the petitioner has been in custody for more than 3 years having been arrested on 21.04.2019, however, as apprised by the State counsel, most of the prosecution witnesses, who remain to be examined, are formal witnesses. Hence, the trial can be expected to conclude shortly.

In view of the specific allegations levelled against the petitioner

in the FIR, which was registered at the instance of the complainant i.e. father of the deceased coupled with the advance stage of trial, this Court is not inclined to extend the concession of bail to the petitioner. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

At this stage, a prayer has been made by the learned counsel for the petitioner for issuance of directions to the trial court for expeditious conclusion of the trial in view of the long incarceration of the petitioner.

The trial Court is directed to make earnest efforts to expedite the trial and conclude the same as expeditiously as possible preferably within a period of four months from the date of this order.

27.09.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No