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

**CRM-M No.48470 of 2021
Date of decision : 24.08.2022**

Gurmail Singh @ Gela

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Ms. Sumanpreet Aulakh, Advocate
for the petitioner.

Mr. Mohinder S. Joshi, Addl. Advocate General, Punjab.

PANKAJ JAIN, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.141 dated 03.11.2020 registered for the offenses punishable under Sections 324, 452 of the IPC (Sections 302, 307 of the IPC added later on), at Police Station Zira, District Ferozepur.

2. Custody Certificate of the petitioner has been filed in Court today. The same is taken on record. As per the same petitioner is in custody since 05.11.2020.

3. As per the allegations in the FIR, the petitioner stabbed husband of the complainant who ultimately succumbed to his injury and lost his life. Complainant alleged that :

“On 2.11.2020 the time will be around 6.10 PM, I heard my husband Rajinderpal Singh's gossip from outside and in the meeting I came out from the side of the road and saw that Gurmel Singh alias Gela son of Pritam Singh resident of Rataul Rohi was cursing at the shop next to our house on which my husband went outside and forbade him to do so. When stopped, Gurmel Singh alias Gela started cursing my husband's name. Me and my brother-in-law's son Narwinder Singh alias Bittu son of Jaswant Singh stepped forward and saw what was happening. With the intention to kill my husband by Gurmail Singh @ Gela with knife.”

4. Ld. Counsel for the petitioner contends that Challan already stands presented and the material witness i.e. the complainant stands examined. Petitioner is in custody since 5th of November, 2020 and has thus, undergone actual custody of 1 year, 9 months and 18 days.

5. On the other hand, Ld. State Counsel has opposed the prayer of the petitioner contending that the trial is at an advance stage. The complainant has supported the prosecution. It is a case of gruesome killing by the accused.

6. I have heard Ld. Counsel for the parties and have carefully gone through the records of the case.

7. Keeping in view that it is a case of eye-witness account, the gravity of the offence and the brutal manner in which it was committed, this Court does not find that the petitioner deserves concession of bail.

8. Consequently, the present petition is dismissed.

August 24, 2022
Dpr

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No