

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

209

CRM-M-586-2021

Decided on : 22.02.2022

Gagandeep Singh @ Gagan

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Benant Noor Singh Marrok, Advocate
for the petitioner(s) (in CRM-M-586-2021).

Mr. Ramnish Puri, Advocate
for the petitioner(s) (in CRM-M-21084-2021).

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

MANJARI NEHRU KAUL, J. (Oral)

This order shall dispose of CRM-M-586-2021 and CRM-M-21084-2021, as the issue involved in both the cases is similar and the cases emanate from the same FIR. However, the facts are being extracted from CRM-M-586-2021.

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner(s) in case FIR No. 50, dated 17.03.2019, under Sections 363, 364, 302, 201, 120-B of IPC, registered at Police Station Sultanpur Lodhi, District Kapurthala (annexed as Annexure P-1).

Learned counsel for the petitioners submit that they have been falsely implicated in the case in hand without there being any cogent evidence to connect them with the rape and subsequent murder of the

deceased, 'K', aged about 17 years. Learned counsel further submit that the main accused Phuman Singh, who had enticed away the deceased (victim) on the pretext of marriage, committed suicide soon thereafter. It has, therefore, been prayed that since the petitioners have been in custody since 22nd March, 2019 (Gagandeep Singh @ Gagan) and 18th March, 2021 (Raj Kumar @ Raju), respectively and the complainant stands examined, their further incarceration would not serve any useful purpose.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioners, has submitted that the petitioners had actively participated in the alleged crime. After being raped by co-accused Phuman Singh, the deceased/victim was killed by the accused including the petitioners, who then stuffed her dead body into a gunny bag and threw it into a well. It was further submitted that prosecution evidence was underway and the material witnesses had fully supported the case of the prosecution.

Heard and perused the material on record.

Prima facie there are serious and specific allegations levelled against the petitioners. Hence, this Court does not deem it fit to extend the concession of regular bail to the petitioners.

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 request has been made by the learned counsel for the petitioner(s) that both the petitioner(s) are in custody since 22nd March, 2019 (Gagandeep Singh @ Gagan) and 18th March, 2021 (Raj

Kumar @ Raju), respectively and 23 prosecution witnesses still remain to be examined, therefore, the trial Court be directed to expedite the trial.

In the circumstances, the trial Court is directed to make earnest efforts to conclude the trial expeditiously, preferably within a period of six months.

(MANJARI NEHRU KAUL)
JUDGE

February 22, 2022
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No