

284

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29942-2021 (O&M)

Date of Decision:- 02.02.2023

LOVEDEEP SINGH ALIAS LOVE

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. G.S. Ghuman, Advocate
for the petitioner.

Mr. Mohinder Singh Joshi, Additional A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

CRM-4023-2023

This is an application filed by the petitioner u/s 482 Cr.P.C. for placing on record the documents i.e. charge-sheet and statements of PW1, PW2 and PW3 as Annexures A-1 to A-3.

For the reasons enumerated in the application, the same is allowed. Accompanied documents Annexure A-1 to A-3 are taken on record.

CRM stands disposed of.

CRM-M-29942-2021

The petitioner – Lovedeep Singh @ Love has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.47, dated 27.02.2020 under Sections 302, 363, 366, 384, 201, 473, 120-B of IPC and 27/29/54/59 of Arms Act, registered at Police Station Ranjit

Avenue, District Amritsar.

The facts of the case are that Pargat Singh – complainant gave his statement to the police that his daughter Anmol Kaur after doing her 10+2 was pursuing the course of beauty parlour with Orane Academy Mall Road, Amritsar. She used to go to Amritsar by school bus at 08:00 A.M. and used to return home by 03:00 P.M. On 26.02.2020, she left the house as per her routine. At about 09:10 A.M, the complainant's wife namely Paramjit Kaur received a call from the mobile phone of her daughter and one person disclosed that he had found the mobile phone at Loharka Road. He told her to take back the said mobile phone. She informed her husband i.e. complainant. On this, he inquired from the driver of the bus namely Gurnam Singh who disclosed that Anmol Kaur alighted from the bus at Vishal Mega Mart, Ranjit Avenue for purchasing certain articles. It was also informed by the Academy that she did not attend the Academy on that day. He checked the mobile phone of her daughter and found that she had a Whatsapp chat with mobile phone number 97433762282. The complainant suspected that the person having the aforesaid number must have kidnapped his daughter by giving her allurement of marriage. He tried to search his daughter but could not locate her. The case was registered under Section 363, 366 IPC. The investigation was started. The statement of Hardy Singh was recorded who had found the mobile phone of Anmol Kaur bearing sim number 6284762464. During further investigation, it was found that one Alto car was involved and the boy sitting in it had thrown the mobile phone outside the window. There was one sticker 'AF' on the said car. During investigation, the wife of complainant further disclosed that she had received a call raising demand of ransom of Rs. 20 lacs. Supplementary statement of complainant was

recorded in which accused Lovedeep Singh was named who wanted to marry the victim to which the victim did not agree. During further investigation, statement of Jasbir Singh and Ranbir Singh were also recorded. The accused was arrested on 29.02.2020 and as per his disclosure statement in the presence of Naib Tehsildar Ratan Jeet, dead body of the victim was recovered from a deserted house. The weapon of offence and the Alto car used in the occurrence were also recovered. After completion of investigation, accused Lovedeep Singh, the present petitioner along with Sartaj Singh, Sukhchain Singh and Pardeep Singh were arrested and challaned in this case.

Learned counsel for the petitioner argued that Lovedeep Singh was falsely implicated in this case. He has no concern with the death of the daughter of complainant. He was not named in the FIR. Even the allegations of extortion were added on subsequently. The alleged Alto car used in the occurrence was not in his name. Even the mobile phone from which the message was allegedly received by the victim is not in his name. The 32 bore revolver allegedly used in the occurrence is also not in his name. Apart from this, learned counsel for the petitioner referred to the statements of Pargat Singh as PW1, Paramjit Kaur as PW2, which are Annexure A-2 and Ranbir Singh as PW3, which is Annexure A-3, who have not supported the prosecution version. The petitioner was arrested on 29.02.2020 and since then, he is in judicial custody. The material witnesses have been recorded. He cannot be kept behind the bars for indefinite time period. It is prayed that his regular bail application may be allowed.

The bail application is opposed by learned counsel representing the State. It is pointed out that there are specific serious allegations against

the present petitioner. The weapon used in the occurrence is in the name of father of the petitioner. The car used in the occurrence belonged to his friend Sartaj Singh who is also one of the co-accused. It is pointed out that blood stains were lifted from the said car. The weapon used in the occurrence was also recovered along with three live cartridges and one empty shell. The evidence of the prosecution is under progress. The dead body was recovered on his disclosure statement in the presence of Naib Tehsildar. Considering the gravity of offence and the manner in which it has been committed, the petitioner is not entitled to be released on regular bail. It is prayed that his regular bail application may kindly be dismissed.

I have considered the arguments and have gone through the record carefully. I have also gone through the challan report and the detailed investigation which was carried out in this case. Apart from the present petitioner Lovedeep Singh @ Love, there are three other accused namely Sartaj Singh, Sukhchain Singh and Pardeep Singh, who are facing trial in this case. The evidence of the prosecution is under progress. The counsel for the petitioner is relying upon the statements of Pargat Singh as PW1, Paramjit Kaur as PW2 and Ranbir Singh as PW3 who did not support the prosecution case and were declared hostile. Their statements are Annexure A-2 and A-3. The facts referred above indicate that the case of prosecution is based on the testimony of witnesses, circumstantial evidence, recovery of dead body, recovery of weapon used in the occurrence, recovery of Alto car used in the occurrence as well as the statements of other witnesses namely Hardyal Singh and Jasbir Singh, who are yet to be examined. In this case, the dead body was got recovered allegedly by the petitioner in the presence of Naib Tehsildar. There are specific serious allegations against the petitioner and the other co-accused.

The evidence of prosecution is under progress. Therefore, considering the gravity of offence and the manner in which it has been committed, in my opinion the petitioner – Lovedeep Singh @ Love is not entitled to be released on bail and his regular bail application is, accordingly, declined.

02.02.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No