

226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:110814
CRM-M-40702-2023
Date of Decision: August 24, 2023

Deepak @ Deepu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Veneet Sharma, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Prayer in this petitioner filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.0171, dated 10.07.2021, under Sections 302, 34 and 201 of IPC, registered at Police Station Chattiwind, Amritsar Rural, District Amritsar.

It is contended by learned counsel for the petitioner that FIR was lodged on the complaint of Surjit Kaur, as per which on 09.07.2021 at about 8 p.m., Rajpreet Singh, Jagpreet Singh and petitioner Deepak @ Deepu had came to their lane and called her son Ranjit Singh @ Suraj. Thereafter, Jagpreet Singh raised alarm to get hold and on that Arsh and petitioner Deepak @ Deepu held Ranjit Singh @ Suraj from arms and thereafter Rajpreet Singh and Jagpreet Singh started beating him. Rajpreet Singh gave a *krich* blow resulting in the death of Ranjit Singh @ Suraj.

Learned counsel further contends that the only role attributed to the petitioner is that he along with Arsh had caught hold the deceased. Learned counsel further contends that even this part of the allegation has not been supported by complainant of this case i.e. Surjit Kaur during her testimony before the Trial Court.

Learned counsel for the petitioner has drawn attention towards Annexure P-2, the statement of Surjit Kaur, made during the Trial Court, in which she clearly stated that petitioner Deepak @ Deepu and Arsh are not the persons, who had caught hold of her son and that they had not given any beatings. She had given the entire attribution is to Jagpreet Singh and Rajpreet Singh.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of respondent-State.

Learned State counsel does not dispute the aforesaid facts. It is conceded that even if the testimony of PW1 is ignored for the time being, the only role attributed to the petitioner is to have caught hold of the deceased and it is Rajpreet Singh and Jagpreet Singh, who had given beatings to the deceased.

Custody certificate placed on record by learned State counsel reveals that the petitioner is in custody for the last 02 years, 01 month and 05 days with no criminal antecedent.

Having regard to all the aforesaid facts and circumstances, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.

August 24, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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