

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-48515-2023 (O&M)
Date of Decision:-3.10.2023

Angrej Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. L.M. Gulati, Advocate for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

FIR No.	Dated	Police Station	Section/s
0068	25.5.2021	Khilchian, District Amritsar	302, 342, 120-B, 148 and 149 of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR in question was lodged at the instance of Sukhwinder Singh, wherein it is stated that his maternal uncle Puran Singh had given one of his sons, namely, Gurwinder Singh in adoption to his Massi (aunt), namely, Surjit Kaur w/o Hardip Singh, as she had not been blessed with any male child. On 25.05.2021, at about 11.00 PM, Gurwinder Singh called the complainant several times and disclosed that Daljit Kaur w/o Lakhwinder Singh had called him to her house by deceit and he had been locked in a room by her mother-in-law Amarjit Kaur, father-in-law Ajit Singh and other neighbourers and the

said persons had also telephonically called Dharminder Singh, Angrej Singh (petitioner) and Amritpal Singh sons of Surjit Singh. Baljit Kaur wife of Surjit Singh also accompanied them. It is stated that Gurwinder Singh further disclosed to the complainant that he had also locked room from inside and that Balraj Singh and Amritpal Singh were carrying *datars* and *kirpans* and were raising *lalkaras*. The complainant alleged that Gurwinder Singh pleaded with him to come to rescue him, but thereafter he heard noises of hue & cry and then suddenly there was silence on the phone. The complainant along with Harmesh Singh, Sarpanch, reached at the place of occurrence and also informed the Police. At the place of occurrence, the complainant saw the body of Gurwinder Singh, which was smeared in blood lying near the door between the lobby and store of the house. Several marks of injuries could be seen on his face and head. The complainant alleged that Gurwinder Singh was having illicit relations with Daljit Kaur and had earlier i.e. in the year 2019 eloped and thereafter, Daljit Kaur had effected a compromise with her in-laws and parents and now in order to please her husband, her in-laws family and also her paternal family, she called Gurwinder Singh to her house and had got him killed.

3. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that identically situated co-accused namely Amritpal Singh has been granted bail by a Coordinate Bench of this Court and that, in these circumstances, the petitioner, who has been behind bars since the last about 2 years and 3 months, deserves the same concession particularly since the conclusion of trial would still take some time inasmuch as 10 PWs out of the cited 28 PWs still remain to be examined.

4. Opposing the petition, learned State counsel submitted that though as per FIR, the role attributed to the petitioner may be identical to the co-accused Amritpal, who has been granted bail by a Coordinate Bench of this Court, but the conduct of petitioner has not been above board inasmuch as while in custody, he has been involved in another case under Prisons Act.
5. This Court has considered the rival submissions addressed before this Court.
6. It is not disputed that the role attributed to the petitioner is identical to the role attributed to the co-accused Amritpal, who has been ordered to be released on bail by a Coordinate Bench of this Court. The petitioner is not involved in any other case other than the FIR pertaining to jail offence. The petitioner has been behind bars for a substantial period of about 2 years and 3 months. Conclusion of trial is likely to consume time inasmuch 10 PWs out of the cited 28 PWs still remain to be examined. In these circumstances, further detention of the petitioner will not serve any useful purpose.
7. The petition, as such, is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

3.10.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No