

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49534-2023

Date of Decision: 17.11.2023

Satnam Singh @ Mundi

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Harmanpreet Singh, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. Reply by way of an affidavit of Assistant Commissioner of Police, South Amritsar has been filed on behalf of the respondent-State in Court today and the same is taken on record.

2. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail to him in case FIR No.28 dated 17.03.2022 registered under Sections 302, 34, 201 of IPC, at Police Station C-Division, District Police Commissionerate, Amritsar.

3. The FIR in the present case was got registered by Rekha, widow of late Ashok Kumar. As per her, her youngest daughter namely Priya @ Khushi was aged about 30 years, who was married to Ajay Singh @ Ajay son of Satnam Singh, co-accused for the last about five years ago. Her daughter, was also having one daughter namely, Pari, aged about four years. Her husband Ajay Singh @ Ajay was a drug addict and used to beat her up. Sometimes ago,

she informed the complainant that all her earnings were spent by her husband Ajay Singh @ Ajay on intoxicants. Priya @ Khushi had given a sum of Rs.4 /5 lacs or her jewellery to Balwant Singh @ Kaka, her uncle-in-law and now he was not returning the same. Due to this, the husband of her daughter, Ajay Singh @ Ajay and her father-in-law Satnam Singh (petitioner) used to quarrel with her and also used to beat her up. On 17.03.2022, she got the information that her daughter Priya @ Khushi had died and the dead body was lying in front of her in-laws house on bed. On this information, she reached there and alleged that her daughter had been killed by her husband Ajay Singh @ Ajay, her father in law Satnam Singh-petitioner, her mother-in-law Jaspal Kaur and uncle-in-law Balwant Singh @ Kaka and Tirath Singh by strangulating her.

3. Learned counsel for the petitioner contends that the petitioner, who is the old father-in-law of Priya @ Khushi, since deceased, had no concern with the matrimonial affairs of Ajay Singh @ Ajay and Priya @ Khushi. In the last five years of their matrimonial life, there was no complaint from any corner. Learned counsel has further placed reliance on the order dated 04.08.2023, passed by this Court in CRM-M-24528-2023 titled as Jaspal Kaur Vs. State of Punjab, whereby the wife of the petitioner was granted the concession of bail by this Court. Learned counsel further submits that the petitioner is husband of Jaspal Kaur and father of main accused Ajay Singh @ Ajay. Even as per the case set up by the prosecution, Priya @ Khushi was killed by Ajay Singh @ Ajay and Tirath Singh by strangulating her. He further contends that the petitioner was arrested in the present case on 18.03.2022 and is in custody for the last one year and eight months. He next contends that no witness, out of

total 16 witnesses has been examined so far and the custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that there are serious allegations against the present petitioner.

5. I have heard the learned counsel for the parties and perused the record.

6. From the record, it is apparent that similarly placed co-accused Jaspal Kaur has already been granted the concession of bail by this Court vide order Annexure P-4. The petitioner is in custody for the last more than 01 year and 08 months and the trial Court has not even commenced before the trial Court.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

17.11.2023
hemlata

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