

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

CRM-M-60370-2023

Date of Decision:06.12.2023

Kuldeep Singh @ Rinku

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. P.S Sekhon, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 122 dated 22.12.2021, registered under Sections 302,201,427 of IPC and under Section 207 of M.V Act, Police Station Sandaur District Malerkotla.

2. The FIR in the present case was registered on the basis of statement made by Raspinder Singh, who alleged that at about 12.00 p.m. on 20.12.2021, his father Jarnail Singh had gone to his fields for some agricultural work. At about 3/3.30 p.m., Amrik Singh came to their house and asked about his father from his mother and he also went to their fields. He searched for his father, but could not find him. On inquiry from Amrik Singh, the complainant came to know that after handing over Rs. 50,000/- and taking tea with him, Amrik Singh returned home. When the complainant failed to locate the whereabouts of his father, he reported the matter to the police and the FIR was initially registered against unknown persons under Section 346 IPC. Later on,

the dead body of Jarnail Singh was found on 25.12.2021 and the offence under Section 302 IPC was added in the present case.

3. Learned counsel for the petitioner contends that during the course of investigation, it was found that Avtar Singh @ Nikda had allegedly committed the murder of Jarnail Singh, father of the complainant. Learned counsel further contends that Achara Singh, co-accused and the petitioner had helped the main accused to bury the dead body of the Jarnail Singh, except no other role has been assigned to the present petitioner. Learned counsel for the petitioner has further placed reliance on the order (Annexure P-3) passed by this Court in CRM-M-30442-2022, in which similarly placed co-accused was granted the concession of bail by this Court.

4. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail.

5. The petitioner was arrested in the present case on 12.01.2022 and is in custody for the last more than 01 year and 10 months. Apart from that, Vide the order (Annexure P-3), similarly placed co-accused has already been granted the concession of bail by this Court.

6. 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.

(N.S.SHEKHAWAT)
JUDGE

06.12.2023
hitesh

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