

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7434-2024
Date of decision : 13.03.2024

KARAMJIT SINGHPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. P.B.S. Goraya, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.49 dated 15.03.2022 registered for the offences punishable under Sections 302, 307, 420, 468, 471, 120-B, 201, 34 of the Indian Penal Code and Section 25, 27, 54, 59 of Arms Act, at Police Station City Patti, District Tarn Taran.

2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.
3. FIR was registered on the information supplied by Daljit Singh son of Gurmej Singh who alleged as under:

“xxx I am resident of above mentioned address and working as a labourer at railway station, Patti. I have two sister and both are married. My wife Veena Rani is working at thread mill at Ludhiana. My mother had expired two years back and now my father Gurmej Singh is living with me at my house. On dated 14.03.2022, I was present at my home with my father and around

3.00 PM my father received a phone call from mobile no. 7696886116 on his mobile phone No. 9779998235 and my father told me that they are going towards Buwana Mandir side. My father was riding the motor cycle and I was pillion riding and after reaching Buwana Mandir, my father made a call to the same number and then the both went to railway crossing and after waiting there for some time, we were coming back but from one side two young persons with muffled faces came on motorcycle and after stopping their motorcycle near us, asked for the address of Gurbachan Singh but my father reply that he does not know. In the mean time the person who was pillion riding, took out pistol fired at my father with intention to kill and the shot hit my father on his left cheek and both the persons fled way on the motorcycle. After arranging a vehicle, I took my father to Sandhu Hospital, Patti and after giving first aid, the doctor referred my father to Amandeep Hospital where my father is undergoing treatment. That if brought before me, I can identify both of persons. They have done in justice with us by firing with the intention to kill and causing injury to my father Strict legal action be taken against them. I was coming to inform you that you met us on the way. Statement given, heard, it is correct. SD/- Daljit Singh xxx”

4. As per the case of the prosecution, Jatinder Singh is the main accused who was in relationship with Veena Rani wife of Daljit Singh. Jatinder Singh is stated to have suffered a disclosure while in police custody claiming as under:

Date and time	Sr. No.	Facts of investigation
18.03.2022		This time, during inquiry from Jatinder Singh son of Satnam Singh son of Piara Singh resident of Karial, Police Station Bhindi Saidan, he has informed that I was born about 29 years ago in the house of mother Paramjit Kaur father Satnam Singh in village Karial. I have no other brother. My sister Baljeet Kaur is unmarried. Sh. Kulwinder Singh and Devinder Singh are my uncles (Chacha). I have one Bhua namely Kuldeep Kaur wife of Nishan Singh

	resident of Boparai Kalan. I have no Taya. The name of my wife Gurjinder Kaur daughter of Gurvail Singh resident of village Pandori. I have two children, daughter Aramjot aged about 4 years and son Japnamdeep Singh aged about 2 years. I have cultivable land measuring 12 Killas. About 6months ago, suddenly I connected to a wrong number and the lady who attended the phone call told me that her name is Veena Rani wife of Daljit Singh resident of Ward No. 14, Patti and she is working in the Cloth factory at Ludhiana. Thereafter we started talking to each other and gradually we developed our love relations. Veena Rani told me that her children are small in age and my husband Daljit Singh is not giving me money for my daily expenses. I want to cause any serious injury to him to lay him on the bed. I came into her words and on 14.03.2022, I along with my friend Karamjit Singh son of Harbhajan Singh resident of Karial came at Ajnala on my motorcycle bearing registration No. PB14-0319. At that time, I was having Pistol. I had got activated mobile No. 76968-86116 on the basis of proofs of any person from Gurpreet Singh of Manpreet Telecom and thereafter we came at Patti. Motorcycle was being driven by Karamjit Singh and I was sitting on pillion seat. At about 3.00 PM, we came at Ward No. 14 and made phone call from mobile No. 76968-86116 to mobile No. 97799-98235 of Gurmej Singh that we came from back, you came outside as we want to get your signature. After some time, Daljit Singh and his father Gurmej Singh came on motorcycle near Durgiana Mandir. Veena Rani had already informed them about their body description then we stopped their motorcycle under the pretext to ask the address of someone. At that time, Daljit Singh was driving said motorcycle and Gurmej Singh was sitting on pillion seat, then due to hurry, I made a direct fire on the face of Gurmej Singh instead of Daljit Singh and we ran away from the spot. Some time, ago, I came to know that police is coking to our village to search me, therefore I came at bus stand Punga by sitting on the motorcycle of some passerby. You have apprehended me. I have committed mistake, kindly forgive me.
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5. As per the disclosure petitioner is stated to be the one who was driving the motorcycle while shot was fired by main accused Jatinder Singh. Petitioner is behind bars since 1 year, 11 months and 27 days i.e. almost 2 years. Not only the challan stands presented but the trial has proceeded considerably as 7 material witnesses stand examined.
6. State Counsel is not in posititon to dispute the factual assertions made by counsel for the petitioner based on record.
7. I have heard counsel for the parties and have gone through records of the case.
8. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner, the allegations levelled against the petitioner and the nature of evidence against him, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
9. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

March 13, 2024
Dpr

(Pankaj Jain)
Judge

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