



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-43217-2024

Date of decision: 27.09.2024

Rampreet Singh alias Lavi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sumeet Puri, Advocate (through VC)
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.30 dated 04.03.2023 under Sections 302, 364, 201, 148, 149, 120-B of the IPC registered at Police Station Longowal, District Sangrur.

2. Learned counsel for the petitioner contends that the instant case hinges on circumstantial evidence; as per allegations the deceased had been done to death by co-accused Manpal @ Mani on account of some trivial dispute between them. Learned counsel has further submitted that 02 days after the deceased went missing, the complainant filed a missing report before the police and alleged that she had made enquiries at her own level and learnt about the involvement of the petitioner and the co-accused in the murder of her husband. Learned counsel has further argued that no motive is forthcoming



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against any of the accused, including the petitioner, as to why they would have committed the murder of the deceased. It has been further submitted that there was no corroborative evidence collected by the investigating agency to connect the petitioner with the alleged murder. Learned counsel has also submitted that even though charges were framed on 16.08.2023, however, after getting herself examined in chief, the complainant had been seeking repeated adjournments and had not appeared for getting herself cross examined. It has been submitted that in the circumstances and keeping in view the loose evidence collected by the investigating agency in the case at hand, the petitioner could not be made to languish in custody for an indefinite period, moreso, when 21 prosecution witnesses still remained to be examined.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not disputed the stage of trial and the custody period of the petitioner, who has now been behind bars since 05.03.2023. However, learned State counsel has contended that the complainant while lodging the FIR had raised suspicion qua the involvement of the petitioner and the co-accused in the murder of the deceased. Learned State counsel has also not disputed that no specific motive had been attributed qua to the petitioner to participate in the crime in question.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. Before proceeding further, it would be apposite to reproduce the contents of the FIR in question, which are as under:-



"Statement of Yadwinder Kaur wife of Avtar Singh aged about 35 years Mobile No.8288884222 it is stated that I am resident of above mentioned address and is a house hold lady and married with Avtar Singh in the year 2010. I have one son namely Kamalnoor who is 11 years of age. My husband Avtar Singh used to do domestic work. On 23.02.2023 at about 8.15 PM my husband Avtar Singh was present in the house along with me at the same time Gurwinder Singh alias Chuchi came to our house and started talking with Avtar Singh and then he had taken Avtar Singh with him. After that Avtar Singh did not come back to our house and his phone was also coming switched off. I kept searching for him with my relatives till today. During my own enquiry I came to know that on 02.03.2023 during night hours Manpal Singh alias Mani along with Gurwinder Singh alias Chuchi and Rampreet Singh alias Lavi along with two more unidentified persons had taken Avtar Singh in Car make Honda City bearing No DL-CNC- 1460 at the motor situated in the fields of Rampreet alias Lavi at Qila Bharian Road. Avtar Singh was murdered by them at that place by causing injuries on his person with sharp edged weapons. The motive behind this crime was that some days ago Avtar Singh had minor quarrel with Manpal Singh alias Mani and due to that grudge above mentioned assailants murdered Avtar Singh and they threw his dead body in canal to destroy evidence. Necessary legal action be taken against the accused person."

6. In the facts and circumstances as enumerated hereinabove coupled with the fact that the petitioner has been in custody since 05.03.2023 and 21 prosecution witnesses still remain to be examined, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the

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concession of bail granted to him, the State would be at liberty to seek
cancellation of the same.

27.09.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No