

2024:PHHC:033455

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

Date of decision : 07.03.2024

1. CRM-M-57692-2023

Jaswinder Singh Petitioner

versus

State of Haryana Respondent

2. CRM-M-64906-2023

Baljeet Singh Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Sahil Choudhary, Advocate
for the petitioners.

Mr. A.K. Sehrawat, DAG, Haryana.

Mr. Mohinder Singh Joshi, Advocate and
Mr. Shivam Sharma, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

1. Present petitions have been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioners in case bearing FIR No.406
dated 21.07.2020, registered for the offences punishable under Sections
302, 452 and 120-B of IPC at Police Station Pehowa, District
Kurukshetra.

2. FIR was registered on the information received from
Basdev Kaur mother of the deceased Manjeet Singh, who alleged as

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under:-

“I am around 70 years old. Please note that I live at the address mentioned above. I am an elderly woman, and I have some grandchildren with me, including one girl and three boys. Among them, the eldest son, Paramjeet, passed away four years ago due to illness. The second son, Manjeet Singh, used to work as a laborer. The youngest son, Ranjeet Singh, went to Kuwait three years ago. I live separately with my son Manjeet Singh in his house, and my daughter-in-law, Baljinder Kaur, had gone to her parents' house with my grandson, Gursimran, who is 8 years old. My son, Manjeet Singh, used to come to my place for meals after work. On the night of July 20, 2020, he had dinner with me around 9:30 PM and then went back to his house. However, on the morning of July 21, 2020, he did not come to my place for breakfast, and at the same time, I received a call on my phone from my daughter-in-law, Baljinder Kaur, saying that she tried calling Manjeet Singh's phone, but he didn't answer. I also tried calling Manjeet Singh's phone from my phone, but there was no response. Concerned, I went to Manjeet Singh's house to check. The main door of the house, which faces the road, was locked from the inside my grandson climbed the wall then, Sukhwinder Singh son of Gurmil Singh, aged 8, and entered the house through the gate. At that time, my son, Manjeet Singh, was lying in a room. There was a huge amount of blood in and around the room. The door to the room was shut, and a sofa was placed outside instead of the door. Upon entering, I saw my son, Manjeet Singh, lying upside down, and

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there were deep wounds on his neck, left and right hands, and even on his palms. On the night of July 20/21, 2020, my son, Manjeet Singh, was alone at his house. My daughter-in-law had informed me a few days earlier that my son, Manjeet Singh, had an illicit relationship with another woman, who she suspected to be a co-worker from Patiala. She believed that my son, Manjeet Singh, and the woman were involved in an affair, which often led to arguments between them. When I, along with other individuals, entered my son, Manjeet Singh's room, I noticed that the sofa had been placed outside the room due to space constraints. We lifted the cot, which had a bed on it, and kept it in another room. Please take appropriate action as some unknown individuals who have murdered my son, Manjeet Singh, on the night of July 20/21, 2020, by breaking into his house and attacking him with a sharp weapon. This incident occurred due to a suspected extramarital affair. I request a thorough investigation into this matter. I discovered my son's phone while packing the sofa, I have presented everything to you regarding this incident. I had informed my daughter-in-law, Baljinder Kaur, about the incident, and she has also arrived now. I had also reported the incident to the police. I have mentioned my address correctly. A case has been registered under IPC Sections 452/302 against unidentified individuals who have committed this crime.”

3. During the course of investigation, police recorded statement of one Satnam Singh, who claims that petitioner Jaswinder Singh s/o Daler Singh and Baljeet Singh s/o Harmail Singh both

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admitted of having murdered Manjeet Singh. It is further claimed by the prosecution that Jaswinder Singh was found to be in constant touch with Baljinder Kaur and it is a case of illicit relation between Baljinder Kaur and Jaswinder Singh. Apart from that Darant i.e. the alleged weapon used in the crime is also claimed to have been recovered from Baljeet Singh pursuant to the disclosure made by him.

4. On the last date, the State counsel was directed to produce FSL report with respect to Darant. The same has been produced. As per report, there is no conclusion with respect to any blood recovered from the Darant and the same has been stated to be disintegrated. Both the petitioners are behind bars for more than 03 years, 07 months and 09 days. Admittedly, all the prosecution witnesses stand examined and the petitioners are to lead their defence evidence. Baljinder Kaur also stands admitted to bail vide order dated 03.10.2023 in *CRM-M-48955-2023*.

5. Mr. Sehrawat as well as Mr. Joshi are not in a position to dispute the aforesaid factual assertions made by counsel representing the petitioners. However, submits that keeping in view the serious allegations and the fact that it is a case of heinous crime, the petitioners do not deserve to be admitted to bail.

6. Having heard rival contentions after going through the records of the case, without commenting anything on the merits, keeping in view the incarceration suffered by the petitioners the and the fact that the prosecution witnesses already stand examined and the nature of evidence against the petitioners, the present petitions are allowed.

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Petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

7. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.
8. A photocopy of this order be placed on the file of other connected case.

(PANKAJ JAIN)
JUDGE

07.03.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No