



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

CRM-M-2685-2024

Date of decision: 04.03.2025

PRITAM SINGH AND ANOTHER

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Piyush Sharma, Advocate
for the petitioners.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

By way of present petition filed under Section 439 Cr.P.C., the petitioners seek regular bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
95	07.09.2019	302, 34 of IPC	Kulgarhi, District Ferozepur.

2. Arguments heard.

3. Learned counsel for the petitioners, *inter alia*, contends that the petitioners are innocent and have been falsely implicated in this case on account of domestic dispute with the complainant party. The petitioners being husband and wife are in custody since 26.09.2023 and as per the case of prosecution, allegations against them are that they caught hold of the deceased while co-accused Mewa Singh gave fatal blow with a pestal on the head of the deceased leading to his death. He submits that the allegations are manifestly wrong and incorrect and the petitioners have no role whatsoever in the alleged occurrence. He further contends that the accused Mewa Singh, to whom the fatal injuries has been attributed, has since been granted

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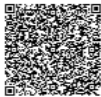
concession of bail vide order dated 13.09.2023 passed in CRM-M-5231-2023 (Annexure P-3). He further submits that the petitioners are having no criminal antecedents and the conclusion of trial will take sufficient long time. Hence, prays for grant of bail.

4. Per contra, learned State counsel, by referring to the reply filed by the State, has assailed his arguments and submitted that the petitioners have played active role in the murder of deceased and as such, they deserve no leniency and prayed for dismissal of the present petition.

5. After considering the rival contentions and perusing the record, it transpires that the petitioner No.2 happens to be the sister-in-law of the brother of deceased and petitioner No.1 is her husband. As per the allegations, both of them caught hold of deceased Gurbhajan Singh, while co-accused Mewa Singh, armed with pestal, gave blow on his head, which proved fatal. It is not disputed that after completion of investigation, challan has already been presented in Court wherein out of 20 witnesses cited by the prosecution, 6 have been examined. Further, co-accused Mewa Singh, to whom the fatal injuries have been attributed, has since been granted concession of bail vide Annexure P-3.

6. This being the case, the conclusion of trial to ascertain liability of the petitioners will take sufficient long time and considering the above facts and circumstances, no useful purpose will be served by detaining the petitioners in custody any longer.

7. In these circumstances, without commenting on the merits of the case, the present petition is allowed. The petitioners are ordered to be released on bail subject to furnishing bail bonds/surety bonds to the



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satisfaction of learned trial Court/Duty Magistrate/Judge on Duty concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

04.03.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |