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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-16864-2024
Date of decision:-02.04.2025

PUSHPINDER SINGH @ SABA

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Ms. Harpreet Maini, Advocate for the petitioner.

Mr. Ankit Grewal, DAG, Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
218	30.09.2023	302, 506, 34 IPC	Lambi, District Muktsar Sahib

2. Arguments heard.
3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner was arrested in this case on 30.09.2023 since then he is in custody and after his arrest nothing has been recovered from him. He contends that after completion of investigation, challan has already been presented in Court wherein prosecution has cited 46 witnesses, as such, conclusion of trial will take sufficient long time, hence prayed for grant of



concession of bail to the petitioner.

4. Per contra, learned State counsel has opposed the bail application by referring to the reply submitted by the State and contend that petitioner has actively participated in the crime in causing murder of deceased Akashdeep Singh. He contends that considering the nature and gravity of offence, petitioner is not entitled to concession of regular bail, hence prayed for dismissal of the present petition.

5. After considering the rival contentions and perusing the record, it transpires that present FIR was registered on the complaint of Gurmeet Singh stating that on 29.09.2023 at about 8:30 pm when he went outside towards the house of Doctor Kikkar Singh, he saw Pushpinder Singh and Gurwinder Singh were dragging his son Akashdeep Singh alongwith his motorcycle, when he reached at the turn of the street he saw accused Gurwinder Singh giving kirpan blow to his son which hit him on his neck and he fell down, blows were landed on the head and backside of neck of his son. Both the accused dragged the bloodied body of his son towards their house and continued raising lalkara of teaching him lesson for causing injuries to them. On raising alarm, both the accused fled away from the place of occurrence. Accordingly, police was informed and dead body of the deceased Akashdeep was sent for postmortem to Civil Hospital, Gidderbaha and FIR was registered. Consequently the petitioner was arrested on 30.09.2023. After completion of investigation challan has already been presented in Court, wherein it is pending trial.

6. It is evident from record that there are specific allegations



against the petitioner of having actively participated in the crime in causing murder of deceased Akashdeep Singh and as per reply submitted by the State petitioner dragged the deceased and caught hold of him while co-accused Gurwinder Singh gave sword blows. Therefore, considering the nature and gravity of the offence, no case is made out in favour of the petitioner for grant of regular bail at this stage, as a consequence, the petition is hereby dismissed.

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

(SANJIV BERRY)
JUDGE

02.02.2025

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