



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

CRM-M-43588-2024

Date of Decision:24.02.2025

Karanbir Singh @ Karandeeep Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the third petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 201, dated 13.10.2022, registered under Sections 304,34 of IPC, 379 and 473 of IPC added later on, Police Station Loopke, District Amritsar Rural.
2. The FIR in the present case was registered on the basis of the statement made by Raghu son of Remat Masih and the same has been reproduced below:-

“Statement of Raghu son of Sh. Remat Masih, resident of Village Shahura, District Amritsar, aged about 25 years, Mobile No.9501545011, stated that I am the resident of the above mentioned address and doing the labor work. We are seven brothers and sisters. Out of them all five sisters and are married, are two brothers. Manga Masih is older then me and I am younger then him. I took Rs.500/- as credit money from Pargat Singh son of Sh. Sulakhan Masih, resident of Shahura. Out of which I have

returned back Rs.300/-. Today, time would be around 8.00 AM and when I was passing through the street, due to Pargat Singh house situated in front, then pargat Singh came in front of Marriage House and asked me to return Rs.200/-. To whom I told that I will return the same in the evening. Upon, this altercation took place between us. In the meantime Amrik Singh son of Sh. Sulakhan Singh, Karanbir Singh son of Sh. Amrik Singh, Rohit Masih son of Sh. Pargat Singh, residents of Shahura came at the spot and all the persons started pushing me and on hearing the noise my mother Parkash Kaur aged about 70 years came on the spot and to whom the said Karanbir Singh pushed and she fell down on the ground and became unconscious. On seeing my mother unconscious fell down I started raising noise Mar Ditta Mar Ditta, then all the said persons ran away from the spot. On hearing my noise my sister-in-law Raj Kaur wife of Bittu also came on the spot. After arranging vehicle, she was taken to Civil Hospital Lopoke and where doctor after checking referred her to Guru Nanak Hospital Amritsar and where after checking my mother, doctor declared my mother Parkash Kaur as dead. We took our mother Parkash Kaur to our house at Village Shahura. After leaving our sister-in-law Raj Kaur with the dead body, I alongwith with my brother Manga Masih and Micheal Sandhu son of Manga Masih resident of Shahura were coming to you at police post and you met us. The said Pargat Singh son of Sulkhan Masih, Amrik Singh son of Sulkhan Singh, Karanbir Singh son Singh and Rohit Masih son resident of Shahura are of Amrik of Pargat Masih, responsible for the death of my mother. Strict legal action be taken against them. Statements have been recorded and heard and are correct. Sd-Raghu.

3. Learned counsel for the petitioner contends that in the present case, the petitioner has been falsely involved by the complainant by concocting a story. In fact, the mother of the complainant had not received any injury in the occurrence and had died natural death. However, the petitioner was involved in

a false criminal case in collusion with the local police. The petitioner was arrested in the present case on 24.07.2023 and is in custody for the last about 01 year and 07 months. He further contends that even as per the case of the prosecution, the petitioner had no intention to cause the death of mother of the complainant. The prosecution has relied upon 16 witnesses, but no witness has been examined so far. The petitioner was neither involved in other criminal activity and his case deserves sympathetic consideration by this Court.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had assaulted a senior citizen and had killed the mother of the complainant. However, he admits that the petitioner is a first offender and the prosecution has not been able to examine even a single witness so far.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. Admittedly, the petitioner is in custody for the last about 01 year and 07 months. The prosecution is yet to lead evidence to show that the petitioner had the intention to kill the mother of the complainant and the trial is not even formally commenced against the petitioner.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

(N.S.SHEKHAWAT)
JUDGE

24.02.2025
hitesh

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