

2025:PHHC:028842



213.

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

**CRM-M-52365-2024**

Date of decision: 28.02.2025

Lovepreet Singh @ Love

.... Petitioner

Versus

State of Punjab

.... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. L.M. Gulati, Advocate, for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

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**MANJARI NEHRU KAUL, J. (ORAL)**

The instant petition has been filed under Section 483 of BNSS, for grant of regular bail to the petitioner in case FIR No.0010, dated 16.02.2024, under Section 302 of IPC, registered at Police Station Mattewal, District Amritsar.

Learned counsel for the petitioner has reiterated the submissions made on the last date of hearing i.e. 10.01.2025, that even a perusal of the FIR in question clearly reveals that there was no element of intention on the part of the petitioner to cause death of deceased Gurpal Singh; it was during a verbal spat between the petitioner and the deceased that the former pushed the door of the room which, in turn, hit the deceased leading to his death, on account of which, he sustained a single injury on

his head, and died. Learned counsel has submitted that since the sole material witness in the present case i.e. the complainant, who is also alleged to be an eyewitness to the occurrence in question, has been examined, further incarceration of the petitioner would serve no useful purpose, as 09 prosecution witnesses out of 15 cited still remain to be examined. Learned counsel has, therefore, prayed for enlarging the petitioner on bail since he has no previous criminal antecedents.

*Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from SI Manjit Singh, has not disputed the custody period of the petitioner nor has he disputed that all the material witnesses including the alleged eyewitnesses stand examined. It has also not been disputed that 09 prosecution witnesses still remain to be examined. However, learned State counsel has reiterated the contents of the FIR, which has been annexed as Annexure P-1, and the same stands reproduced hereinunder:-

“Statement of Daljit Kaur wife Harpreet Singh son Balwinder Singh resident of village Chogawan stated that I am a said age about 30 years resident of the above address doing housework today around 7 o'clock in the evening I was present in my house my grandfather in law Gurpal Singh 9/0 Sunder Singh and mother-in-law Saranjit Kaur, wife of Balwinder Singh were also present in the house. Meanwhile, my brother-in-law Jaspreet Singh, aged about 23 came home and locked years, the gate from inside. About 5 minutes later, the time was 7-05 PM our door was knocked hardly, my brother-in-law Jaspreet Singh said to his grandfather Gurpal Singh that Bhapa ji **Lovepreet Singh** s/o Jagjit Singh is knocking the door, get up and see what Lovepreet Singh is saying. My grandfather in law aged about 70 years opened the door Singh S/O Jagjit Chogawa, what is asked and Lovepreet resident Singh matter the of and Lovepreet Singh asked him for money my grandfather said why should I give you money then Lovepreet

cursing my grandfather Singh in started law my grandfather in law Gural Singh tried to closed the gate, then Lovepreet Singh hit my grandfather-in-law Gural Singh with a force, due to which he fell backwards and his head hit the ground. As soon as he fell, my grandfather-in-law Gural Singh died. The death of Lovepreet grandfather my Singh s/o reason in of law, Jagjit Singh resident of Chogawa due to pushing and his head hitting the ground. After being pushed, Lovepreet Singh escaped from the said occasion. This whole incident is also witnessed by my Mother-in-law Charanjit Kaur wife Balwinder Singh and my brother-in-law Jaspreet Singh s/o Balwinder Singh resident Chogawa reason behind the incident is that Lovepreet Singh was used to take drugs and always asked for money from my brother-in-law Jaspreet Singh and Lovepreet Singh did not get the money, he first fought with Gural Singh and then pushed him, due to which his head fell to the ground and due to his grandfather head in law hit on ground My had died. I am complainant. Statement has been record, heard, it is correct. Sd/ Daljit Kaur Sd/- Balwinder Singh S/O Gural Singh Resident of Chogawa Sd/- Manbir Singh SI/SHO PS Mattewal Date 16.02.2024."

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

The petitioner has been in custody since 18.02.2024 in a case based on eyewitness account. The alleged eyewitnesses already stand examined and the next date fixed before the trial Court is 01.03.2025 when some more prosecution witnesses are likely to be examined. It is also not disputed that the deceased sustained a single injury on his head which, in turn, proved fatal for him. The possibility of the trial concluding in the near future seems unlikely.

In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

Accordingly, the instant petition is allowed and 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.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**February 28, 2025**  
sanjeev

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