

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

CRM-M-20949 of 2015
Date of decision: 10.7.2015

Jagtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.S. Mamli, Advocate for the petitioner.
Ms. Rajni Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J. (oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 302, 307, 427, 148, 149 IPC and 25, 37, 54 & 59 of Arms Act at Police Station Jhunir, District Mansa, vide FIR No.19 dated 16.04.2015.

Learned counsel for the petitioner has emphatically submitted that name of the petitioner did not figure in the FIR. Neither he is related to other accused nor has any motive to commit crime. He has been falsely implicated by the investigating agency.

Prayer has been opposed by State counsel. According to her, during investigation, name of petitioner figured in statement under section 161 Cr.P.C. of Amrik Singh, wherein he stated that petitioner was driving the car which hit the motor cycle being driven by Gurpiar Singh, where after both of them fell on the road.

I have heard learned counsel for the parties and given careful

thought to the facts of the case.

FIR was lodged by Gurpiar Singh, who stated that he was employed in Genius Secondary School, Sardulgarh as a Physical Teacher. He had performed love marriage with Simranjit Kaur who was also employed in Government Primary Girls School, Sardulgarh together. They were on their way to Sardulgarh when a car came from behind and hit the motor cycle. After the couple fell down on the road, one of the accused namely, Malkhan Singh shot his wife Simranjit Kaur dead. Complainant was also assaulted with sharp edged weapon. After committing the crime, accused fled from the scene. After FIR was lodged, investigation ensued. Statement of one Amrik Singh was recorded under section 161 Cr.P.C. He stated that the car in question was being driven by Jagtar Singh (petitioner herein).

Petitioner appears to have actively participated in the crime. Besides, the case appears to be another instance of honour killing. The investigation has to be taken to its logical end. Custodial interrogation of the petitioner would be necessary for this purpose. There is, thus, no merit in the petition.

Dismissed.

(RAJAN GUPTA)
JUDGE

10.7.2015
'Rajpal'