

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

**CRM-M-21392 of 2014
Date of Decision :21.08.2015**

Randeep Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

- 1. Whether reporters of local newspaper may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the digest?**

Present: Mr.Vikas Bahl, Sr. Advocate with
Mr. Manvir Singh, Advocate
for the respondent.

Mr. C.S. Brar, Dy. Advocate General, Punjab.

Mr. Ashok Giri, Advocate
for the complainant.

FATEH DEEP SINGH, J. (ORAL)

The allegations against the petitioner-Randeep Kumar @ Monu Pandit in this anticipatory bail application are that on 11.11.2013, the accused comprising Baba Karnail Singh and others armed with deadly weapons numbering around fifteen attacked the complainant party when they were present in the disputed land cutting wheat and as a consequence of this attack complainant-Baldev Singh and Sher Singh got injuries whereas Satnam Singh @ Sattu died.

The contentions of the counsel for the petitioner Sh. Vikas Bahl, Sr. Advocate assisted by Sh Manvir Singh are that though the FIR has been

lodged immediately but name of the petitioner did not figure out at that time and it was subsequently after a great delay name of the petitioner has come up in the supplementary statement dated 18.01.2014 of the complainant and that the petitioner has been falsely roped in because of political rivalry as his mother is a Congress councilor and even on earlier occasions a number of false criminal cases have been registered against him.

The arguments of the petitioner's counsel is controverted on behalf of the State by Mr. C.S. Brar, Dy. Advocate General assisted by Mr. Ashok Giri, Advocate for the complainant submitting that there is a specific reason given by the complainant in his supplementary statement because of his injuries he could not name the unidentified persons so stated by him in the FIR and that a specific role has been attributed to the petitioner.

Appreciating the submissions of both the sides without adverting on to the merits, in the light of clear-cut allegations and role attributed to the petitioner and the fact that even in the FIR the unidentified persons have been given definite role and his subsequent identification are matters which can only be appreciated at the time of the trial.

Keeping in view the seriousness of the allegations and that provisions of Section 438 Cr.P.C. are to be sparingly used and the custodial interrogation of the petitioner is essential so as to prevent stifling of the investigation hence, this court to decline the same finding no merit the petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

August 21, 2015
Dpr