

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

**Crl. Misc. No.M- 23027 of 2015
Date of decision : 22.09.2015**

Harmanjit Singh @ Harmanjot Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. D.S. Malwai, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, Asst. AG, Punjab.

Mr. B.S. Jaswal, Advocate
for the complainant.

ANITA CHAUDHRY, J.

This is a petition filed under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.128 dated 19.12.2014, registered under Section 302 IPC, Police Station Mehta, District Amritsar Rural.

Heard.

The name of the petitioner had cropped up in the investigation. Gurbhinder Singh deceased had returned from Italy, a month prior to the incident. Gurbhinder Singh had left his house in his car and had gone to take his mobile back from the present petitioner. He never returned. His body was found the next day in the Alto car parked by the side of the road. A complaint was given to the police.

The call details of the mobile phone of the deceased as well as the petitioner were collected and location of the mobile phone of the

petitioner was found within one kilometre from each other.

The petitioner is a resident of Gurdaspur (Punjab) and his presence in the village at that hour was doubted. The petitioner had approached this Court for anticipatory bail. The petitioner was asked to join the investigation in July, 2015. The case was adjourned for a month. On the last hearing, the State counsel had informed that the petitioner was not co-operating and was not disclosing his presence elsewhere. The petitioner was again directed to join the investigation.

The State counsel informs that the petitioner has not joined the investigation.

The counsel for the petitioner seeks adjournment for a fortnight. He states that the witness who has to support the statement of the petitioner is away.

The petitioner has failed to co-operate and has subsequently not joined the investigation. The allegations are serious; custodial interrogation would be necessary. No case for anticipatory bail is made out.

The petition is dismissed.

22.09.2015
sunil

(ANITA CHAUDHRY)
JUDGE