

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

CRM-M-25568-2015
Date of decision:7.8.2015

Falel Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. A.S. Cheema, Advocate for the petitioner.

Rajan Gupta, J.

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 (Section 341 IPC added in challan) and 25/27/54/59A of Arms Act at Police Station Jhunir, District Mansa, vide FIR No.19 dated 16.04.2015.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. His name does not figure in the FIR. Thus, petitioner deserves to be granted concession of pre-arrest bail.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

FIR was lodged on the statement of Gurpiar Singh. He alleged that he performed love marriage with Simarjit Kaur. He and Simarjit Kaur both are Teacher and posted at Sardulgarh. On the fateful

day, they were going to attend their duty on a motor cycle. When they reached near Gill Petrol Pump at about 7.45 A.M., a car struck their motor cycle from behind, as a result of which both of them fell down. Gamdoor Singh, Buta Singh, Sukhwinder Singh @ Kala, Babbi @ Jaspreet and Gagandeep Singh alighted from the car. Makhan Singh and Jaggi Singh also came there from the side of petrol pump. Makhan Singh, who was armed with a pistol, fired a shot which hit right side of chest of Simarjit Kaur and also fired another shot hitting on right side of her head. Complainant tried to oppose them, but from behind one of the accused gave blow with sharp edged weapon on his head. Thereafter, accused fled from the scene. Amrik Singh alias Mehar Singh son of Mithu Singh in his statement under section 161 Cr.P.C. has stated that petitioner Falel Singh alongwith Sukhwinder Singh @ Kala, Makhan Singh, Jagtar Singh fired shots on Simarjit Kaur who died on the spot.

Keeping in view serious allegations, I do not find it a fit case for grant of pre-arrest bail to the petitioner. His custodial interrogation is necessary for taking the investigation to its logical end. The petition is devoid of merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

7.8.2015
'Rajpal'