

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

***Crl. Misc. No.M-2666 of 2015***

Date of Decision: 16.02.2015

Sonu @ Binder

....Petitioner

Versus

State of Punjab and another

....Respondents

***BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY***

Present:- Mr. Avtar Singh Bhatti, Advocate  
for the petitioner.

Mr. T.N. Sarup, Addl. A.G., Punjab  
for the respondent-State.

Mr. J.B.S. Gill, Advocate  
for the complainant.

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***DAYA CHAUDHARY, J. (ORAL)***

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in private complaint No.3326 dated 13.06.2013 under Section 302/34 IPC, which is pending before the Judicial Magistrate, Ist Class, Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner has been implicated in the case due to party faction in the Village, whereas, he was not involved in any manner. He further submits that a detailed inquiry was conducted, wherein, the petitioner was found innocent. As per statement of eye-witness Raj Kumar, the FIR under Sections 304-A, 279, 337, 427 IPC was registered against un-known persons, who hit the motor cycle. Learned counsel further submits that the petitioner is ready to join the Court proceedings.

Learned counsel appearing for the complainant opposes bail to the petitioner on the ground of seriousness of offence and also submits that it was not a case of accident but the deceased was given grievous injuries, due to which, he died. He further submits that the investigation conducted by the police is not fair.

On perusal of allegations in the complaint, no ground is made out to grant anticipatory bail to the petitioner.

The petition is accordingly dismissed.

The case, in hand, being a complaint case, the petitioner is directed to join investigation and in case, he joins the Court proceedings before the lower Court and moves an application for regular bail, the trial Court is directed to consider the same in accordance with law within a period of one week from the date of his filing the application.

16.02.2015  
**gurpreet**

(DAYA CHAUDHARY)  
JUDGE