

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

CRM-M-35301-2015

Date of decision: 20.10.2015

Karamjit Singh @ Karamjit Ram @ Kamma

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. J.S. Khattar, Advocate
for the petitioner.

Mr. P.S. Bajwa, DAG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.63 dated 29.05.2014 under Sections 307, 34 of the Indian Penal Code ('IPC' for short), Section 302 IPC (added later on) and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Kartarpur, District Jalandhar.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. Nothing was recovered from the petitioner. His earlier CRM-M-6340-2015 was dismissed as withdrawn on 09.03.2015. Out of PWs examined so far, some of them have not supported the prosecution version. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Kashmir Singh, Police Station Kartarpur, Jalandhar, submits that petitioner was driving the car in which his other co-accused came for commission of offence. His presence has been duly established on record at the time and place of occurrence. He further submits that after commission of

crime, petitioner took his co-accused in the same car and facilitated them in the commission of offence. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that in the peculiar fact situation obtaining in the present case, petitioner has not been found entitled for bail pending trial. It is so said because active participation of the petitioner in the commission of offence under Section 302 IPC is established. It was the petitioner who facilitated the other accused in the commission of offence, by bringing them in the car driven by him.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, no case for bail pending trial is made out.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

20.10.2015
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