

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

CRM No.M-36692 of 2015 (O&M)

Date of decision: 20.11.2015

Harminder Singh @ Laddi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Aminder Singh, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Balwant Singh.

Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Suvir Sidhu, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

CRM-36386-2015

Allowed as prayed for subject to all just exceptions.

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By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought pre-arrest bail in case FIR No.147, dated 01.09.2015, registered under Sections 304, 328 and 34 IPC, at Police Station Sadar Dhuri, District Sangrur.

It is contended that the petitioner has been falsely implicated in the present case. He refers to Annexure P-3, the post mortem report to submit that the no external injury was found on the person of the deceased. In fact, the deceased was a drug addict whose body was extricated from the well. There is no evidence of throwing the deceased

by anybody including the petitioner. The petitioner is a young boy of 20 years and is a student of 10+2 whereas the deceased was two years elder to the petitioner.

On the other hand, the learned State counsel opposes the prayer of bail and states that the deceased was last seen in the company of the petitioner at the tube well of Charanjit Kaur, who noticed the dead body lying in the well and at her instance, the body was taken out. The petitioner remained at the spot, however, the other co-accused ran away from the spot. She further states that the investigation is at the preliminary stage. No arrest has been made so far.

The learned counsel for the complainant states that the father of the petitioner posted as Inspector at Dhuri and influencing the process of investigation. The statement of Charanjit Kaur is sufficient to establish the involvement of the petitioner in the crime. He further states that in fact the petitioner administered the overdose of the sedative to the deceased which resulted into his death.

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that the investigation is at the initial stage and none of the nominated accused as so far been arrested, therefore, this Court feels that no case for grant of pre-arrest bail is made out at this stage.

Dismissed.

20.11.2015

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(JITENDRA CHAUHAN)
JUDGE