

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

CRM M-43507 of 2013

Date of decision : 14.09.2015

Karampal Singh

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. SPS Tinna, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

Petitioner seeks quashing of FIR registered against him under sections 302/365/342/201/120-B IPC vide FIR No. 182 dated 02.10.2013 at police station Division No. 5, Civil Lines Ludhiana City, district Ludhiana.

Learned counsel for the petitioner submits that no offence is made out as petitioner was not in the country at the time of occurrence. Besides, no motive can be attributed to the petitioner for committing alleged murder. Thus, FIR deserves to be quashed.

Learned State counsel has opposed the plea. According to him, petitioner manipulated the record to show that he was not in the country at the time of occurrence. He has referred to para 3 of the affidavit filed by Harsh Kumar Bansal, Deputy Commissioner of Police, Ludhiana. According to him, allegations against the petitioner are serious. His plea for quashing is mis-conceived.

I have heard learned counsel for the parties.

FIR was lodged by one Ashok Kumar. It was alleged that accused had acted in well planned conspiracy as they intended

to grab the property of deceased Supreet Singh. They took the deceased to various hotels and administered liquor as well as other drugs. Ultimately, he was killed by giving some poisonous substance. Accused placed dead body of deceased in a Scorpio vehicle and took him to the house of Karampal Singh @ Bablu (petitioner herein). Body was thrown in the roundabout of Kochar market. Only plea of the petitioner is that he was not in the country as he was away to Switzerland at the relevant time. Thus, he has been wrongly arraigned as an accused. I find no merit in the plea. A perusal of the affidavit dated 08.01.2014 filed by State shows that air ticket landing time petitioner was 11:55 p.m. on 18.07.2013. However, he manipulated the check out slip and changed the date to 19.07.2013. This was done in order to mislead the investigating agency and to take the plea that he reached India on 19.07.2015. During investigation it transpired that petitioner was in constant touch with co-accused Beant Singh. It was also found that petitioner alongwith co-accused had usurped the house and landed property of deceased Supreet Singh and thereafter committed his murder.

In view of nature of allegations, I am of the considered view that no case for quashing of the FIR is made out. Plea of the petitioner can be examined only when some evidence is lead before the trial court. No merits. Dismissed.

Nothing said hereinabove shall be construed to be an opinion on the merits of the case.

September 14, 2015

Ajay

(RAJAN GUPTA)
JUDGE