

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

CRM No.M-4428 of 2015

Date of decision: 09.03.2015

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Hitesh Sood, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Vivek Goel, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

This petition under Section 439 of the Code of Criminal Procedure is for grant of regular bail in case FIR No.65 dated 06.07.2012, registered under Sections 303, 302, 307, 392, 148, 149 IPC and Sections 25 and 27 of Arms Act, at Police Station Nihal Singh Wala, District Moga.

It is contended that neither the petitioner was present on the spot nor he has been named in the FIR. He has been falsely implicated in the present case. The complainant has also not named the petitioner in his examination in chief. No recovery is to be effected from the petitioner. He is in custody since 08.09.2012.

The learned State counsel as well as the learned counsel for the complainant, contend that there are specific allegations against the petitioner. The petitioner was driving the car in which all the accused came to the house of the deceased.

As per the case of the prosecution, the petitioner played an active role in the commission of crime, resulting into death of two persons. Keeping in view the nature of the offence and the role of the petitioner, without adverting to the merit of the case, this Court feels that at this stage, no case for the relief sought is made out.

Dismissed.

09.03.2015

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(JITENDRA CHAUHAN)
JUDGE