

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

**CRM No.M-15684 of 2016 (O&M)
Date of decision:19.05.2016**

Chamkaur Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Naveen Sharma, Advocate for the petitioner.
Mr. Narinder Singh, Advocate for the complainant.
...

TEJINDER SINGH DHINDSA, J.

CRM No.16476 of 2016:

Application is allowed as prayed for. Document at Annexure
P-5 is taken on record.

Application is disposed of.

Main case:

The present petition has been filed under Section 438 Cr.P.C.
seeking concession of anticipatory bail to the petitioner in case FIR No.8
dated 16.01.2016, under Sections 323/325/307/506/120-B/148/149 IPC
(Section 302 IPC added later on), registered at Police Station Doraha, Police
District Khanna, District Ludhiana.

Counsel for the parties have been heard at length.

Briefly, it may be noticed that the FIR came to be registered at
the instance of Darshan Singh in relation to an occurrence that took place on
16.01.2016 at about 10 A.M. Allegations are that the present petitioner
armed with the handle of a spade and co-accused Gurjant Singh @ Janti,
Gurpreet Singh, Gurjeet Singh and Manjit Singh also armed with kirpans
and handles of spade have assaulted the complainant party.

In the occurrence that has taken place one Mewa Singh has lost his life and the complainant Darshan Singh has also suffered injuries.

Present petitioner has been specifically named in the FIR pertaining to the incident whereby a murderous assault took place.

At this stage, it would be difficult for this Court to single out any particular accused and examine the role as regards attribution of injury upon the deceased. As per prosecution version, the petitioner was very much member of the accused party and armed with the handle of a spade.

Keeping in view the serious allegations and the heinous offence committed, this Court is not inclined to grant in favour of the petitioner concession of pre-arrest bail.

Petition is dismissed.

19.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**