

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

CRM M-32468 of 2016

Date of decision : 26.09.2016

AmarpalSingh @ Ambu

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. P.S. Brar, Advocate for the appellant.

Mr. V. Ramswaroop, Addl. A.G. Punjab.

RAJAN GUPTA J.

This is a petition under section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under sections 306/302 IPC at police station Bajakhana District Faridkot.

Learned counsel for the petitioner has vehemently argued that certain accused similarly placed were granted bail by various orders passed by coordinate Benches. Petitioner is, thus, entitled to same relief.

Prayer has been opposed by learned State counsel. According to him, allegations against the petitioner are very serious. He is not entitled to bail pending trial.

I have heard learned counsel for the parties.

Case was registered on the statement of Kuldeep Singh. He alleged that there was a land dispute between the parties. On 09.11.2013 at about 10:15 A.M. some accused trespassed into the land of his father namely Jaskaran Singh and tried to install a bore. When he tried to stop them, then Gurnam Singh, Amritpal Singh & Veerpal Kaur poured diesel upon his

father and set him ablaze. Thereafter, they fled from the spot. His father was taken to Civil Hospital, Kotkapura and instant FIR was registered under sections 307/341/323/148/149 IPC. However, Jaskaran Singh succumbed to his injuries, as a result of which section 302 IPC was added. After investigation, investigating agency submitted challan under section 306 IPC. However, trial court framed charge under section 302 IPC as well. Petitioner has prayed for regular bail before Sessions Judge, Faridkot. However, keeping in view specific attribution to the petitioner about sprinkling diesel on the deceased, same was refused. I am of the considered view that no case for bail is made out keeping in view magnitude of the crime and punishment it would entail in case of conviction. The ground that petitioner deserves bail on the basis of parity is without any merit, there being specific allegations against the petitioner. Besides, charge under section 302 IPC has been framed. The plea for bail pending trial is without any merit and is hereby rejected.

September 26, 2016

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No