

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

CRM No.M-35562 of 2015 (O&M)

Date of Decision: 15.01.2016

Kuldeep Singh @ Ashu @ Baghu

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Ms. Rahish Pahwa, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

Mr. P.S. Sekhon, Advocate for the complainant.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in case FIR No.48 dated 20.08.2015, under Section 306 IPC, registered at Police Station Sandaur, District Sangrur.

Counsel for the parties have been heard at length.

FIR was registered on the complaint of Nachhatar Singh in relation to an alleged occurrence of 17.08.2015. Deceased is Harjit Singh nephew of the complainant. Complainant's version is that one Jaswinder Singh had informed him that Harjit Singh was being beaten up by three boys on the bridge of a canal near a liquor vend. The present petitioner was specifically named as one of those three boys. Complainant upon receiving such information is stated to have proceeded to the spot. Allegation in a nutshell is that Harjit Singh having been assaulted was pushed into the canal and upon his surfacing back was again beaten up and feeling insulted, Harjit Singh jumped into the canal and committed suicide.

Learned State counsel would concede that in pursuance to an

order dated 05.11.2015 passed by this Court, petitioner has since joined investigation. Court has been apprised that insofar as the other two co-accused are concerned i.e. Beera and Lakhwinder, even challan stands presented.

It would be pertinent to take note that the incident is stated to have occurred on 17.08.2015. Complainant is stated to have reached on the spot on 17.08.2015 itself during the late evening hours. However, he has chosen to file the complaint after a delay of three days i.e. on 20.08.2015.

In an overview of the matter, the petitioner is held entitled to the concession of pre-arrest bail.

Petition is allowed. Order dated 05.11.2015 passed by this Court is made absolute.

It is, however, observed that this order would confine only as regards prayer for anticipatory bail is concerned and would have no bearing on the merits of the case.

Disposed of.

15.01.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**