

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

CRM-M-37984-2016

Date of Decision : 16.11.2016

Kulvir Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. S.P. Soi, Advocate,
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

M.M.S. BEDI, JUDGE (ORAL)

The petitioner, along with his co-accused, namely Harwinder Singh, is alleged to have committed murder of Rajwinder Singh.

Learned counsel for the petitioner submits that it is a case of no evidence against the petitioner and his co-accused.

The case of the prosecution, as per the story of the complainant, Amarjeet Singh, father of the deceased, is that some poisonous substance was administered to his son, Rajwinder Singh, as a result of which, he died.

The investigating officer was directed to make available the evidence collected during the course of investigation, regarding culpability of the petitioner.

A perusal of the police file indicates that Sarabjeet Kaur, who is paternal aunt of the deceased, had seen the deceased in the

company of the petitioner and Harvinder Singh.

It has been informed that the investigation is still in progress.

I have considered the contentions of learned counsel for the petitioner and nature of the allegations and the evidence. No doubt, the evidence of last seen, collected till date may be a weak evidence to connect the petitioner with the alleged murder of Rajwinder Singh. The co-accused of the petitioner, Harwinder Singh, after arrest, has been granted the concession of bail by this Court, vide order dated 28.01.2015 (Annexure P-1).

Since the investigation in peculiar circumstances of this case would largely depend upon the interrogation and the other circumstances, it will not be appropriate for this Court to grant the concession of pre-arrest bail to the petitioner as the investigation is still in progress. No ground is made out to grant the concession of pre-arrest bail to the petitioner.

The petition is dismissed.

Nothing said in this order will prejudice the right of the petitioner to seek the concession of regular bail by surrendering before the investigating officer/the Court.

(M.M.S. BEDI)
JUDGE

November 16, 2016
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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No