

CRM-M No. 41907 of 2016

::1::

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

CRM-M No. 41907 of 2016

Date of decision : December 19, 2016

Baba Bhagat Singh and others,

..... Petitioners

v.

State of Punjab and another,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Deepak Bhardwaj, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Mr. Karanvir Singh Kehar, Advocate
for respondent No.2.

Ajay Tewari, J (Oral)

The petitioners seek grant of anticipatory bail in case FIR
No.25, dated 28.2.2016, registered under Section 302 of the IPC, at
Police Station Chamkaur Sahib, District Rupnagar.

As per the allegations, the brother of the complainant was

suffering from some ailment and he was sent to the ashram/dera of petitioner No.1 with the hope that he would be cured but he was beaten up so badly that he died there.

Counsel for the petitioners has argued that keeping in view all the facts of the case, it is clear that there could have been no intention to commit the murder, and the petitioners were found to be innocent by the police.

Learned Addl. AG Punjab, on instructions from ASI Jaswinder Singh, states that the assertion made by counsel for the petitioners is too broad but has accepted that there may be a possibility that the assertion made by counsel for the petitioners is not incorrect. Keeping in view the facts which have emerged in the case, counsel for the complainant has also had to accept that the issue of intention to kill could be termed to be debatable but the petitioners cannot deny the fact that unnatural death of the complainant's brother had taken place at the dera and it was for them to explain the circumstances rather than to falsely implicate a third person.

In this view of the matter, I do not deem it appropriate to deny the prayer made by counsel for the petitioners. Let the petitioners appear before the trial Court on or before 23.12.2016 and in the event of their appearance, the trial Court shall release them on bail to its

CRM-M No. 41907 of 2016

::3::

satisfaction. This petition stands disposed of.

December 19, 2016
`kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No