

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

**CRM No.M-41282 of 2015 (O&M)
Date of decision:10.02.2016**

Singh Raj & another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. KBS Mann, Advocate for the petitioners.

...

TEJINDER SINGH DHINDSA, J.

Petitioners have filed the instant petition under Section 438 Cr.P.C. seeking concession of anticipatory bail in case FIR No.45 dated 09.04.2015, under Sections 302/34 IPC, registered at Police Station City Muktsar, District Sri Muktsar Sahib.

Counsel for the petitioners has been heard at length.

FIR came to be registered on the statement of Geeta Rani. Allegations against the present petitioners as also other co-accused, namely, Balu Ram are with regard to having entered into a conspiracy and having murdered Om Parkash i.e. husband of the complainant. Motive attributed is that Om Parkash (deceased), who was employed as a Peon in the Public Health Department had money transactions with the accused and such amount was not being returned to the deceased. Further accusation is that on 16.09.2012, there was *shagun* ceremony of daughter of petitioner No.1 and all the accused had taken away the deceased on the pretext of attending such ceremony. In the late evening hours, husband was dropped back and he was in unconscious condition and the complainant was told that the deceased had consumed a lot of liquor. Complainant further alleged that she had

called upon the accused to get him treated from a doctor but they are in hurry left. Thereafter, with the help of a neighbour Jaspal Singh and brother-in-law, Rajinder Kumar, the complainant took her husband to Jindal Hospital, Kotkapura Road, Sri Muktsar Sahib and whereupon he was declared brought dead. As per post-mortem report, the cause of death of Om Parkash has been opined to be on account of consuming of a poisonous insecticide.

On 07.12.2015, counsel for the petitioners was directed to place on record the viscera report. In spite of two opportunities having been availed of thereafter, the directions have not been complied with and viscera report has not been furnished.

The application seeking anticipatory bail was rejected by the learned Additional Sessions Judge, Sri Muktsar Sahib in terms of order dated 31.08.2015 (Annexure P-1). The petitioners have been evading the process of law ever since.

In view of the conduct of the petitioners as also coupled with the gravity of the offence and serious charges, this Court is not inclined to extend to them the concession of pre-arrest bail.

Petition dismissed.

10.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**