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

CRM-M No.10635 of 2017
Date of Decision: 30.03.2017

KULWINDER SINGH

.....PETITIONER

Vs

STATE OF PUNJAB

.....RESPONDENT

CRR No.187 of 2017 (O&M)

KULWINDER SINGH

.....PETITIONER

Vs

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. V.K. Sandhir, Advocate
for the petitioner(s).

Ms. G.K. Mann, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Vide this common order, CRM-M No.10635 of 2017
titled “**Kulwinder Singh vs State of Punjab**” and CRR No.187
of 2017 titled “**Kulwinder Singh vs State of Punjab**” are being
disposed of.

The FIR was registered at the instance of Amarjit

Singh. The complainant alleged that his brother Satnam Singh was living with his family in village Kotla Suraj Luhar and other brothers including the complainant were living in village Adiwali.

On 19.03.2016, buffalo of his brother Satnam Singh was stolen by someone and an information was given to the police. In order to attend police proceedings, the complainant was called by his brother. When the complainant and his cousin (son of his maternal uncle) namely Sukhdev Singh reached in the street, then the assailants namely Jagjit Singh, Kulwinder Singh, Malkit Singh, Harpreet Singh and Santokh Singh were found standing in the street duly armed with weapons. They had blocked the passage. In the meanwhile, brother of the complainant came on his motorcycle. All the assailants made him to stop. Santokh Singh caught hold of Satnam Singh and exhorted that he may not be spared as he had levelled false allegation of stealing his buffalo. Jagjit Singh inflicted two sword blows on nose, eyes and chin of Satnam Singh. Kulwinder Singh inflicted two sword blows on forehead and left shoulder of Satnam Singh. Third assailant namely Malkit Singh gave two sickle blows on teeth as well as on left hand side of chest. As a result of that, Satnam Singh fell down. Thereafter, fourth assailant namely Harpreet Singh gave sickle blow on the ankle of right leg of Satnam Singh. Satnam Singh died on the spot.

The cause of death of Satnam Singh was found to be hemorrhage as well as neurological shock.

During course of investigation, police found the petitioner Kulwinder Singh to be innocent.

Vide order dated 30.11.2016, an application under Section 319 Cr.P.C. filed by the complainant after appearing as PW1 has been allowed. That is, how, CRR No.187 of 2017 came to be filed against the said order.

Since the petitioner has been specifically named in the FIR and is author of two sword blows on forehead and left shoulder of Satnam Singh, in my considered view, no indulgence can be granted to the petitioner in terms of grant of anticipatory bail as well as in CRR No.187 of 2017 filed against the order passed under Section 319 Cr.P.C., vide which petitioner has been summoned as additional accused to face trial along with original accused.

Consequently, both the petitions stand dismissed.

March 30, 2017
jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No