

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

CRM-M-3019 of 2017 (O&M)

Date of decision: 06.04.2017

Kashmir Singh @ Kalu

...Petitioner

Versus

State of Haryana and another

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. S.K. Nehra, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Ivan Khosa, Advocate for respondent No.2.

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**Jitendra Chauhan, J. (Oral)**

By filing the present petition, under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 243 dated 30.09.2014, registered under Sections 148, 302, 323, 341, 285, 365, 506, 120-B read with Section 149 of IPC and Section 25 of Arms Act, at Police Station Ding, Tehsil & District Sirsa.

It is contended that initially the petitioner was not named in the FIR. During the investigation, no incriminating evidence could be collected against the petitioner and he had been declared innocent. Subsequently, on an application under Section 319 Cr.P.C., moved by respondent No.2, the petitioner has been falsely implicated in the instant case.

On the other hand, the learned State counsel as well as learned counsel for respondent No.2 oppose the bail application.

Heard.

As per record, the petitioner has been specifically named by the complainant in his application moved on the same day to the investigating agency to the extent that the petitioner along with other co-accused was present on the spot at the relevant time and murdered the wife of the complainant/respondent No.2. Keeping in view the active participation of the petitioner and the gravity of offence, no case for pre-arrest bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

06.04.2017

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**(JITENDRA CHAUHAN)**  
**JUDGE**

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |