

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

CRM-M-45081 of 2016 (O&M)

Date of decision : 23.01.2017

Shehbaz Singh @ Shahu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. Krishan S. Dadwal, Advocate
for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.34 dated 06.03.2014, registered under Sections 148, 302, 482 and 120-B of the Indian Penal Code (for short 'the IPC') read with Section 149 IPC and Sections 25 and 27 of the Arms Act, at Police Station Model Town, Hoshiarpur.

The learned counsel for the petitioner states that the petitioner has been falsely implicated in the present case on the basis of supplementary statement of the complainant, which was recorded after three days of alleged occurrence. The only allegation against the petitioner is that he used to talk to the accused on mobile phone. Mere talking on the phone does not

show that the petitioner was in any manner involved in the commission of offence. This Court vide order dated 08.08.2016 (Annexure P-7) had admitted to anticipatory bail to one of the accused, namely, Jaspinder Singh @ Goldi. The application under Section 319 Cr.P.C. for impleading the additional accused was partly allowed by learned Addl. Sessions Judge, Hoshiarpur.

On the other hand, the learned State counsel submits that charges have been framed. The petitioner is also one of the conspirators of the alleged crime as he talked to the accused.

I have heard the learned counsel for the parties and carefully perused the entire record on file.

This is the fourth petition filed by the petitioner. The first petition, was dismissed as withdrawn and the subsequent two bail petitions, were dismissed by this Court. Since the petitioner had contacted one of the accused, therefore, it is clear that he played an active role in the alleged crime and was one of the conspirators. In such circumstances, this Court does not find any fresh circumstances to grant the relief sought by the petitioner.

Dismissed.

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

23.01.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No