

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

CRM-M-14710 of 2017 (O&M)

Date of decision: May 21, 2018

Kapil Chhabra

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. Mandeep Singh Sachdev, Advocate for the petitioner.  
Mr. A.A. Pathak, Addl. Advocate General, Punjab.

**Rajan Gupta, J.**

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Section 302/34 IPC at Police Station Sadar, Kapurthala, vide FIR No.28 dated 10.03.2017.

FIR was registered on the basis of statement of Kulwinder Kaur wife of Harjinder Singh, stating that her marriage was performed with Harjinder Singh, who is residing abroad. On 2.3.2017, her husband returned to foreign country. On the next day i.e. 3.3.2017, complainant left her matrimonial home with her brother Surjit Singh. Her mother-in-law Paramjit Kaur was residing alone in the house. On 10.3.2017, complainant received a phone call from her sister-in-law that Paramjit Kaur had been injured in her house. When complainant reached there, she saw that her mother-in-law had been murdered by causing injury on her head and dead-body was lying on the floor. Complainant suspected Kulwinder Kaur wife of Ranjit Singh, Kuljit Singh, Preet, Bittu, Pargat Singh @ Bhola and

Kamaljit Kaur for committing murder of her mother-in-law, as they had a dispute with them regarding adjoining land of their Kothi.

During course of hearing, affidavit of Sandeep Singh, Deputy Superintendent of Police, Security, Sub Division, Kapurthala as well as two affidavits of Sandeep Kumar Sharma, Senior Superintendent of Police, Kapurthala were filed by the investigating agency. It was stated therein that challan against Sarabjit Singh alias Sabi and Sukhwinder Singh alias Bonna was presented in court on 14.06.2017. As per affidavit of Sandeep Kumar Sharma, Senior Superintendent of Police, Kapurthala, petitioner alongwith co-accused conspired to commit the crime. In pursuance to this planning, accused went to the place of occurrence in the car of the petitioner. After dropping the accused there, he took the car towards Kala Sanghian. After commission of crime, he again picked up co-accused from the place of occurrence. The offence being of murder, the grant of pre-arrest bail to the petitioner may prove impediment for logical conclusion of the investigation. It would not be appropriate to grant discretionary relief of anticipatory bail, in a case of this nature. Thorough probe may still be required for unravelling the exact modus operandi of the crime and role of the petitioner. The petition is without any merit and is hereby dismissed.

**(RAJAN GUPTA)**  
**JUDGE**

May 21, 2018  
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No