

CRM-M-36612-2018

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

CRM-M-36612-2018

Date of Decision: 31.08.2018

Raj Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.S.Miglani, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Prashant Bansal, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.115 dated 12.09.2017, registered at Police Station Julkan, District Patiala, under Sections 302, 323, 148 and 149 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel appeared on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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From the record, I find that though the present petitioner is not named in the FIR, yet he has been specifically named by injured- Harmesh Kaur. The FIR was got registered by Harnek Singh (now deceased). Harmesh Kaur has specifically alleged active participation of the present petitioner in the commission of offence and attributed injuries to him which were caused to her. The case is at preliminary stage. Charges have yet not been framed.

Keeping in view the above facts; in view of the nature and gravity of the offence and in view of the facts that case is at preliminary stage and there is every chance of tampering with the evidence if the petitioner is released on bail, I do not find it a fit case where the petitioner is entitled to the benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed at this stage.

31.08.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No