

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

Crl. Misc. M-49558 of 2017 (O&M)

Date of Decision: March 19, 2018

Jangir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Surinder Garg, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. AG Punjab.

Mr. S.P.S. Sidhu, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.108 dated 11.11.2017, under Sections 354, 506, 115, 120-B of Indian Penal Code, registered at Police Station Bariwala, District Sri Muktsar Sahib.

In brief, complainant Amanpreet Kaur wife of Amit Kumar got the aforesaid FIR registered, raising an allegation that her father-in-law Joginder Singh had entered contract of ₹ 8 lacs with Davinderpal Singh, Teji Singh, Jangir Singh, Boota Singh, Amanpreet Singh for her elimination. A sum of ₹ 2 lacs had been given in advance and balance amount of ₹ 6 lacs were to be paid, after the deal had been executed.

Learned counsel for Jangir Singh, the petitioner herein, had argued that the allegations in the FIR were totally baseless and there was no strict proof of his involvement regarding participation in the commission of the said crime.

Learned counsel appearing on behalf of the complainant had submitted that there are voice recording of the petitioner, which would if sent to the FSL, be indicative of the fact that the petitioner herein was a party to the conspiracy hatched between father-in-law of the complainant and the others to eliminate her.

By an order dated 07.02.2018, voice sample of the petitioner was directed to be taken and sent to FSL for matching purposes.

Learned counsel appearing on behalf of the respondent-State submits that the voice samples of the petitioner have been matched with the recording that they have in their possession, to establish the fact that the petitioner herein was a party to the conspiracy.

Faced with this, this court is not inclined to extend the interim protection to the petitioner. The grant of anticipatory bail is a discretionary relief. The conduct of the petitioner and gravity of the offence has to be seen as well. In view of the peculiar facts and circumstances of the present case and the gravity of the allegations levelled against the petitioner herein, this court is of the considered view that no ground is made out to grant the relief of anticipatory bail to the petitioner. Accordingly, the petition in hand is hereby dismissed, being devoid of any merits, leaving it open to the petitioner to challenge the recording, should he so desire at an appropriate stage.

However, anything observed hereinabove shall have no affect on the merits of the case, which is only for the purpose of deciding the anticipatory bail application.

March 19, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No