

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

CRM-M-26505 of 2019
Date of Decision:20.09.2019

Baldev Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No.51 dated 14.05.2017, under
Sections 302, 341 and 34 of IPC registered at Police Station Verowal,
District Tarn Taran.

It is contended by learned counsel for the petitioner that
the petitioner has been falsely implicated in the present case. He
further contends that the petitioner will make himself available for
investigation as and when required by the police. He also contends
that the petitioner undertakes to abide by all the terms and conditions
as may be imposed by the Court, hence, he prays for release of the
petitioner on bail.

On the other hand, learned State counsel has opposed the bail on the ground that the petitioner has already been declared as Proclaimed offender and even the inspector of the police, who had connived with the petitioner, was dismissed for not taking any action in the matter.

Heard learned counsel for the parties and perused the paper book.

As per the allegations in the FIR, father of the complainant, namely, Balwant Singh died in a scuffle on 14.05.2017 which had taken place with petitioner as well as two other co-accused on account of the fact that a water pipe line running in front of the house of the petitioner was entangled with the motorcycle of the deceased. As per the status report submitted by way of an affidavit of Deputy Superintendent of Police, Sub-Division, Tarn Taran, the petitioner is evading arrest since then and he has already been declared as Proclaimed Offender by learned Sub Divisional Judicial Magistrate, Khadoor Sahib, (for short 'SDJM') on 19.11.2017. Affidavit further reveals that even against the other co-accused, namely, Ranjit Singh @ Bawa also, the PO proceedings are going on and his arrest warrants have been issued by Learned SDJM for 21.09.2019.

The allegations against the petitioner are very serious and even Inspector Shaminderjit Singh who connived with the accused while not properly handling the present case, has also been dismissed from service on account of dereliction in duties. Thus, the custodial

interrogation of the petitioner would be very much necessary.

Consequently, no ground for pre-arrest bail is made out and the present petition is dismissed.

The above observations, may not be construed as an expression of opinion on merits of the case.

[MAHABIR SINGH SINDHU]
JUDGE

September 20, 2019
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no