

Sr.No.102

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

CRM-M-51025-2019

Date of decision:02.12.2019

Prem Singh

... Petitioner(s)

versus

State of Punjab

... Respondent(s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Manu Loona, Advocate
for the petitioner.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Section 438 Cr. P.C. for grant of anticipatory bail to the petitioner in case FIR No.162, dated 07.10.2019 under Sections 302, 120-B, 201 IPC registered at Police Station City Fazilka.

Learned counsel for the petitioner inter alia contends that there is 07 days delay in filing the FIR after the deceased Manjit Kaur was allegedly killed. He has further contended that FIR is frivolous in nature as the real dispute was regarding the property of the family. He has submitted that the body of Manjit Kaur was cremated without any objections from anybody.

The law pertaining to grant of anticipatory bail has now been well settled by the Hon'ble Supreme Court. In fact, balance has to be maintained while considering the anticipatory bail. It is not only the personal liberty of the accused which is to be seen but it is also to be seen that custodial interrogation should not be hampered. It actually depends upon case to case and no straight jacket formula can be formulated.

Present case pertains to death of a woman in her in-laws and allegations have been attributed to the petitioner in the FIR itself. It has also come in the FIR that the petitioner was allegedly involved in relation with some other women due to which the life got disturbed and Prem Singh – petitioner had beaten the deceased several times.

In view of the seriousness of the allegations contained in the FIR, this Court is not inclined to grant anticipatory bail to the petitioner. Consequently, the petition is hereby dismissed.

However, any observation made herein above shall not have any effect on merits of the case.

2nd December, 2019

Shivani Kaushik

**[JASGURPREET SINGH PURI]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*