

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

CRM-M-10515-2020

Date of Decision:-07.08.2020

LACHHMAN SINGH @ TALI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.S. Jammu, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.467 dated 30.12.2019 under Sections 302, 120-B IPC at Police Station Sadar Mansa, District Mansa.
2. The FIR was lodged at the instance of Kaka Singh wherein it is alleged that house of his brother Roop Singh is situated opposite to his house. On 29.12.2019 at about 10:00 a.m. they heard noises of some quarrel from the house of his brother, upon which he went to his house wherein his niece informed him that her father had caught phone from her mother and when her father confronted her mother as to whose mobile phone it was, her mother threw the mobile in the 'Chula' (stove furnace) on account of

which a quarrel had ensued between them. The complainant's niece further told him that her mother had later sent her outside the room on some pretext. The complainant thereafter returned back to his home but shortly thereafter he again heard some noises coming out of his brother's house, when he went there, he saw his brother was vomiting. When the complainant asked his brother's wife Manjit Kaur as to what had happened, then complainant's brother informed him that his wife Manjit Kaur had administered poison to him with an egg. Further the complainant's niece told him that her mother had been sending her out of the room time and again and that her mother is having illicit relations with Lachhman Singh, which was being objected to by her father. The complainant's brother was taken to hospital but he could not survive. It is alleged that Manjit Kaur had hatched a conspiracy with Lachhman Singh to eliminate complainant's brother.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and at best it is a case where the deceased had committed suicide on account of some tensions in the family. It has further been submitted that admittedly the petitioner was nowhere near the place of occurrence when the death had taken place and was in fact away to West Bengal where he was working as a helper on a combine since about 4 months prior to occurrence.
4. Opposing the petition, learned State counsel has submitted that even though the petitioner was not physically present when the occurrence took place but the evidence collected by the police during the course of

investigation clearly points towards a conspiracy between Manjit Kaur and the petitioner which would be evident from the fact that there had been exchange of telephone calls between them on regular basis. Learned State counsel has submitted that call details had been collected which clearly show that the petitioner and Manjit Kaur were regularly in touch over phone. Learned State counsel has further submitted that the daughter of the deceased had also made a statement under Section 161 Cr.P.C. to the effect that her mother Manjit Kaur was having illicit relations with the petitioner.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case especially the fact that the complicity of the petitioner would be evident from the call details which points towards conspiracy between the petitioner and Manjit Kaur on account of illicit relations between them which are also stated to be there as per statement of daughter of deceased, no special case is made out for grant of anticipatory bail to the petitioner. The petition, is sans merit and is hereby dismissed.

07.08.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**