

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

CRM-M-40187-2020

Date of Decision:04.12.2020

Prem Singh @ Prem Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Dr. Naresh Kaushik, Advocate,
for the petitioner.

Ms. Samina Dhir, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Petitioner-Prem Singh @ Prem Kumar has filed the present petition under Section 482 Cr.P.C. for quashing of order dated 08.01.2020 (Annexure P-1) passed by learned Judicial Magistrate 1st Class, Ludhiana, whereby non-bailable warrant of arrest has been issued against the petitioner in FIR No.0039 dated 17.03.2019 under Sections 304-B, 120-B IPC, Police Station Shimla Puri, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner has argued that the petitioner has falsely been implicated in the FIR and he does not come within the ambit of a relative of husband of the deceased as defined under Section 304-B IPC. He is merely an employer of husband of the deceased and he has nothing to do with the family of the deceased. Moreover, petitioner is living

separately with his family in House No.1457, Street No.09, Shimla Puri, Miller Ganj, Ludhiana, which is approximately 12 kms. away from the residence of the deceased. The alleged incident has occurred at midnight of 23-24/08/2018 that too at the residence of the deceased. At that time, the petitioner was neither at the place of occurrence nor he visited the hospital. He further submits that the petitioner is not maternal uncle of the husband of the deceased, as projected by the complainant.

Having heard learned counsel for the parties, the present petition is disposed of, at this stage, with a direction that, in case, the petitioner surrenders before the trial court and applies for regular bail, efforts would be made to decide his bail application expeditiously, preferably within a period of seven days from the date of filing of such bail application.

December 04, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No