

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

**CRM-M-54899-2019  
Date of decision: 08.01.2020**

**Sher Singh****...Petitioner**

**Versus**

**State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Jamna Dass, Advocate for  
Mr. Govinder Singh Brar, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mrs. Taranjit Kaur Hundal, Advocate  
for the complainant.

**ARVIND SINGH SANGWAN, J. (Oral)**

The petitioner prays for grant of anticipatory bail in FIR No. 243 dated 08.12.2018, registered under Sections 302, 34, 120-B of the IPC and Sections 25, 27 of the Arms Act, 1959 at Police Station Kartarpur, District Jalandhar (Rural).

Learned counsel for the petitioner has argued that as per the allegations in the FIR, complainant Surinder Kumar has stated that on the date of occurrence, he was going to his shop along with Lakhwinder Singh @ Lovely and when they reached near the shop, they saw a person, who was wearing a turban and had muffled his face and was sitting on a motorcycle, ignition of which was on. Complainant Surinder Kumar and Lakhwinder Singh @ Lovely also saw one more person who was also wearing turban and had covered his face with handkerchief and was carrying a pistol in his right arm and was coming out of the shop. When complainant and aforesaid

Lakhwinder Singh @ Lovely went inside the shop, complainant's son Dimple was lying on the floor in a pool of blood and one Dheeraj, who was working with Dimple at the shop, was sitting there perplexed.

Learned counsel for the petitioner further submitted that later on Dimple died on account of fire arm injuries and in the FIR, the complainant has alleged that Jatinder Singh @ Bholu, Jatinder Kumar and petitioner Sher Singh are behind the murder of his son Dimple, however, no motive is attributed in the FIR.

Learned counsel for the petitioner has referred to the statement of complainant Surinder Kumar, who appeared as PW-1, wherein the version given in the FIR was reiterated by him without referring to any motive against the petitioner.

Learned counsel for the petitioner further submitted that the petitioner was exonerated by the police during investigation and now he has been summoned as an additional accused in an application moved by the prosecution under Section 319 Cr.P.C. after the examination-in-chief of the complainant is recorded.

Learned counsel for the petitioner has undertaken that petitioner will appear before the trial Court and face trial as he does not want to challenge the order passed under Section 319 Cr.P.C.

Learned State counsel, on instructions from SI Karambir Singh, has not disputed the factual position.

Learned counsel for the complainant has submitted that on account of some previous litigation between the parties, the offence has been committed, however, she could not dispute the fact that details of any such previous enmity are not given in the FIR.

After hearing learned counsel for the parties and considering the fact that petitioner is ready to appear before the trial Court and face trial in accordance with law, the petitioner is directed to appear before the trial Court within a period of fifteen days from today and the trial Court shall release him on bail, subject to his furnishing bail/surety bonds to its satisfaction.

The petition is disposed of accordingly.

It is made clear that any observation made herein is only for the purpose of granting anticipatory bail to the petitioner and the same will have no bearing on the merits of the case.

**08.01.2020**

*Waseem Ansari*

**(ARVIND SINGH SANGWAN)  
JUDGE**

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*