

CRM-M-3334 of 2021

Date of Decision: 25.01.2021

Lovepreet Singh

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. G.S.Dhillon, Advocate, for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

By this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.131, dated 14.09.2020, having been registered at Police Station Qila Lal Singh, District Batala, alleging therein the commission of offences punishable under Sections 302, 148, 149 of the IPC (with Section 304 IPC added later and Section 302, deleted).

Learned counsel for the petitioner submits that in fact even as per the inquiry conducted by the DSP, Batala, the deceased, Balwant Singh, did not die of the injuries inflicted upon him by any one of the accused but died while trying to jump from the roof of one house to the other, thereby hitting his head on the opposite wall and then falling on the ground and sustaining injuries.

It is seen that other than the petitioner there are other accused also, some of whom have also filed petitions before this court seeking to be released on regular bail.

Those petitions are stated to be coming up on 15.02.2021.

If the version of learned counsel for the petitioner is to be accepted, then obviously there would be nobody who should be accused at all in this case.

Even if that is so (though with no comment at all is made as to the correctness of the inquiry of the investigating agency or otherwise), I would see no reason to actually admit the petitioner to anticipatory bail on that count, he having been named alongwith others who attacked the deceased as also possibly his brother, which eventually led to the death of the deceased, one way or the other.

Though learned counsel for the petitioner wishes to place on record the inquiry report, I see no reason to adjourn the matter on that ground, he already having read out from the inquiry report, to the effect as noticed above.

Consequently, in my opinion it is not a case where anticipatory bail at least can be granted to the petitioner and therefore, without making any comment on the actual merits of the case, this petition is dismissed.

January 25, 2021

dharamvir/

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether Reportable :Yes/No