

203 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-14586-2020
Decided on : 13.01.2021

Sandeep Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jasraj Singh, Advocate
 for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.212 dated 31.08.2018 for the offences registered under Sections 307, 323, 427, 148 and 149 IPC,1860 (Section 302 IPC subsequently vide DDR No.29 dated 01.09.2018) at Police Station Tanda District Hoshiarpur.

Learned counsel for the petitioner inter alia contends that a perusal of the FIR reveals that the entire family of the petitioner has been falsely implicated in the instant case by assigning some role or the other to them. It has also been contended that the petitioner has been in custody since 26.04.2019 and has only been attributed a simple injury on the non-vital part of Manjinder Kaur, who also is the daughter of the deceased. Learned counsel for the petitioner submits that since the co-accused Simar Kaur and Arjan Singh have already been granted bail by this Court, he may also be extended the concession of regular bail.

Per contra, learned State counsel while opposing the prayer of

learned counsel for the petitioner has submitted that no doubt the petitioner has not attributed any injury on the person of the deceased and only a simple injury on the person of injured Manjinder Kaur, however, subsequent to the registration of the instant FIR, the petitioner absconded and was declared a proclaimed offender. It was only on 22.04.2019, the petitioner was arrested. He further submits that the case of the petitioner is clearly distinguishable from that of the co-accused as neither were they declared proclaimed offenders nor were they attributed any injury on the person of the deceased or any of the injured witnesses.

Heard.

In the facts and circumstances of the case, the petitioner does not deserve the concession of bail more so keeping in view the fact that the petitioner was declared a proclaimed offender subsequent to the registration of the FIR in question and also the fact that the material witnesses have not yet been examined. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

13.01.2021
sonia

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No