

CRM-M-1869-2022 (O&M)

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

**CRM-M-1869-2022 (O&M).
Decided on: March 25, 2022.**

Maninder Singh @ Sabi

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

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**PRESENT Mr.Ankur Bansal, Advocate,
for the petitioner.**

Mr.Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

Status report has been filed by way of affidavit of Assistant Superintendent of Police, Sub Division, Adampur, Jalandhar, which is taken on record.

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for the grant of anticipatory bail in FIR No.112 dated 19.9.2021, under Sections 302, 148 and 149 IPC, (Sections

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148 and 149 IPC deleted and Section 120-B IPC added later on) registered at Police Station Bhogpur, District Jalandhar.

Learned counsel for the petitioner has submitted that he has gone through the status report and has submitted that petitioner has been falsely implicated.

As per the allegations contained in the FIR which was lodged by one Joginder Singh his son namely Gurinder Singh alias Lucky deceased was married to one Amandeep Kaur and the brothers of Amandeep Kaur and other family members (in-laws) were having constant quarrels with the son of the complainant and an information was received on the basis of which when the complainant reached the house of in-laws of his son along with his wife Balwinder Kaur then they saw that their son Gurinder Singh alias Lucky with his brother-in-law Maninder Singh @ Sabi (petitioner) and Varinderpal singh @ Raja and mother-in-law of his son namely Rajinder Kaur along with 2-3 other unknown persons which he could recognize on coming before them and they were having dasti datar, Scissor and Kirpans and sharp weapons were causing injuries to his son. On looking at them they fled away and his son was taken to the hospital where he unfortunately died.

On the other learned State counsel while referring to the affidavit filed by the State has submitted that it is a case where all the three persons along with some other persons had murdered the son of the complainant and direct role has been attributable to the petitioner even as

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per the FIR but the other two accused namely Varinderpal singh @ Raja and mother-in-law namely Rajinder Kaur were arrested and they are in custody but so far as the present petitioner is concerned, he absconded and thereafter proceedings to declare him as proclaimed offender were also initiated. He by referring to the status report has submitted that from the place of occurrence - spot, blood of the body of the deceased was recovered from the floor and was seized with cotton ball, wrapped in plastic box and parcel was prepared with the seal 'HS' and the map was prepared without any scales and the statements of the witnesses were recorded. He by referring to para 8 of the status report has submitted that injuries were also described. He submitted that so far as other two accused persons are concerned, challan has been presented against them but since the petitioner was absconding for long time, and proceedings for declaring him proclaimed offender have been initiated against him and therefore, the petitioner does not deserve the concession of anticipatory bail.

I have heard the learned counsel for the parties.

It is a case where a perusal of the FIR itself shows that the petitioner along with his brother and mother was seen by the complainant when they were causing injuries with sharp edged weapons to the son of the complainant. The other two accused have since been arrested but the petitioner as per the learned State counsel is absconding for long time.

In view of the gravity and seriousness of the offence and

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the role attributable to the petitioner even as per the FIR itself, no ground is made for the grant of concession of anticipatory bail to the petitioner. Consequently, the present petition being devoid of any merits is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

March 25, 2022	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No