

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6337-2022
Date of Decision: 06.05.2022

Lovepreet Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Harmeet Kaur, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Naresh Gopal Sharma, Advocate, for the complainant.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.115 dated 21.10.2021, under Sections 302, 307, 326-A and 306 IPC, registered at Police Station Mohkampura, District Amritsar.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 26.10.2021 and the investigation of the case has already been completed and challan has been presented. She further submitted that it is a case where similarly situated co-accused have been granted interim anticipatory bail by this Court. She further submitted that in fact the allegations which were contained in the FIR were found to be false and in fact deceased Manpreet Singh had alleged that the sister of his wife had poured oil on him and set him ablaze but thereafter on the basis of the CCTV footage it was found that the aforesaid deceased had himself poured

oil on his body and set himself on fire and, therefore, Section 306 IPC was added. Thereafter, the aforesaid Manpreet Singh died and Section 302 IPC was added later on. She further submitted that the basic foundation on the basis of which the FIR was registered itself was demolished in view of the CCTV footage and the petitioner is facing incarceration for the last about 6 months and the petitioner is brother-in-law of the deceased.

On the other hand, Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab has submitted that it is correct that the petitioner is in custody from 26.10.2021 and the investigation of the case has been completed and challan has been presented. He further submitted that it is correct that in the CCTV footage it was found that the deceased had himself poured oil on his body and set himself ablaze.

I have heard the learned counsel for the parties.

The petitioner is in custody from 26.10.2021. The allegations in the FIR were that the deceased was set ablaze by the sister-in-law but in fact thereafter during investigation it was found from the CCTV footage by the police himself that the deceased himself had poured oil on his body and, therefore, Section 306 IPC was added but thereafter since the aforesaid Manpreet Singh had died the provisions of Section 302 IPC were added. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper evidence or may flee from justice.

Therefore, without commenting on the merit of the case and considering the totality of circumstance, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate

concerned.

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

06.05.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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