

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

**CRM-M-29502-2022 (O&M)**  
**Date of decision: 13.07.2022**

Mukhtar Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Vivek Salathia, Advocate for the petitioners.

Mr. Sidhant Vermani, Advocate for the complainant.

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**HARNARESH SINGH GILL, J. (ORAL)**

Through the instant petition under Section 438 Cr.P.C., the petitioners seek anticipatory bail in case FIR No. 66 dated 20.04.2021, registered under Sections 302, 341, 148, 149 IPC and later on Sections 212, 201 IPC read with Section 34 IPC were added and Sections 148 and 149 IPC were deleted, at Police Station Kathunangal, District Amritsar.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case; that no injury was caused by the petitioners to the deceased and even they were not present at the spot; that as per the mobiles tower(s) location collected during investigation, the petitioners were found to be at a distant place(s) and that as per the enquiry report dated 01.06.2021, the petitioners were also found innocent.

Learned counsel for the complainant submits that Baljinder Singh, who was murdered, was the prime witness in an FIR registered against one of the co-accused. Since, the prosecution agency was not recording the

statements of eye-witnesses, namely, Harmeet Kaur and Palwinder Kaur, the complainant was forced to approach this Court and on the directions issued by this Court vide order dated 07.07.2021, their statements were recorded on 17.07.2021.

I have heard the learned counsel for the parties and have also gone through the paper-book.

The complainant and eye-witnesses, namely, Harmeet Kaur and Palwinder Kaur, have specifically named the petitioners to be the ones who had actively participated in the crime. Baljinder Singh (deceased) son of the complainant had been given injuries by the accused, including the petitioners, resulting into his death at the spot itself. The petitioners' reliance on the inquiry report needs to be examined vis-à-vis the ocular version of the complainant and the eye-witnesses. Upon so doing, the ocular version prevails. Therefore, it cannot be said that the petitioners have been wrongly summoned by the learned trial Court.

In view of the above, I do not find that any case for grant of anticipatory bail is made out.

**(HARNARESH SINGH GILL)**  
**JUDGE**

**13.07.2022**  
*Mangal Singh*

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No