

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

109

CRM-M-37061-2022 (O&M)

Date of Decision: 22.08.2022

JASPINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rahul Bhargava, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Through this second petition, the petitioner seeks anticipatory bail in case bearing FIR No.66 dated 20.04.2021, registered under Sections 302, 341, 148 and 149 IPC and Sections 212, 201 IPC read with Section 34 IPC (added later on), at Police Station Kathunangal, District Amritsar Rural, the first one having been dismissed on merits by this Court vide order dated 13.07.2022.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that as per the conversation recorded in the CD, the complainant and his mother have specifically stated that the petitioner was not present at the spot; that neither any injury on the person of the deceased was caused by the petitioner nor was he present at the spot; that as per the mobiles tower location collected during investigation, the petitioner was found to be at a distant place and that as per the enquiry report dated 01.06.2021, the petitioner was found innocent.

Notice of motion.

On the asking of this Court, Mr. Subhash Godara, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and submits that in the present case, an eye-witness in the FIR registered against the co-accused, was murdered. He further submits that all the pleas, as raised hereinabove, have already been taken into consideration by this Court on 13.07.2022, while dismissing the earlier bail petition of the petitioner and that there is no change of circumstance.

I have heard the learned counsel for parties.

It is a case in which the eye-witnesses, namely, Harmeet Kaur and Palwinder Kaur, through the complainant approached this Court and on the directions of this Court, their statements were recorded on 17.07.2021 and the petitioner was arraigned as one of the accused.

Further, as noticed above, all the pleas, as raised hereinabove, have already been dealt with by this Court on 13.07.2022, while dismissing the earlier bail petition and there is no change of circumstance.

In view of the above, no ground is made out to grant the concession of anticipatory bail to the petitioner.

Dismissed.

22.08.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>