

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51000-2022 (O&M)
Date of decision: 10.11.2022

Lakhwinder Singh @ Lakhi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Tejinder Pal Singh, Advocate
for the petitioner.

Mr. Navneet Singh, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.190 dated 16.09.2022 under Sections 304/201 IPC, registered at Police Station Sadar Dhuri, District Sangrur.

Learned counsel for the petitioner submits that as per allegations in the FIR registered at the instance of Bikkar Singh, her son Nandu Ram is a painter and had gone to Dhuri in connection with his work. Later on, a village boy namely Mani told him that dead body of Nandu Ram @ Mani is lying in front of Radha Swami Satsang House. On this, FIR has been registered. During the investigation, one Tanveer Singh @ Mamni was nominated as accused and upon supplementary statement of the complainant, he was arrested. During

interrogation, he disclosed that on 16.09.2022, he along with Nandu Ram had gone to house of co-accused Mukhtiaro for taking intoxicant substance and in her house, petitioner Lakhwinder Singh @ Lakhi, Lakhi and Banti were already present. There the petitioner and two other persons started demanding money from Nandu Ram, which he took on credit basis, but Nandu Ram stated that he has no money to return and thereafter, Mukhtiaro and other accused asked Tanveer Singh to take away Nandu Ram. Thereafter, Mukhtiaro, Lakhwinder Singh (petitioner), Lakhi and Banti gave Rs.500/- to Tanveer Singh and said that they will given him intoxicant substance, if he inject injection of intoxicant substance to Nandu Ram and in that process, Tanveer Singh took Nandu Ram to Radha Swami Satsang House and injected the injection of intoxicant material to Nandu Ram, where he died.

Learned counsel has argued that there is no direct allegation against the petitioner, except that when Mani and Nandu Ram went to house of Mukhtiaro, the petitioner was also present there and demanded money from Nandu Ram, therefore, he is entitled to concession of anticipatory bail.

Learned State counsel, on instructions from ASI Gurpreet Singh, has, however, opposed the prayer for bail on the ground that there is direct allegation in the FIR that when Nandu Ram refused to make the payment to petitioner Lakhwinder Singh and two other co-accused, they along with Mukhtiaro gave Rs.500/- to co-accused Tanveer Singh @ Mamni so that he may administer intoxicant substance through an injection to Nandu Ram and while doing so, Nandu Ram died, therefore, there is direct allegation against him. Learned State counsel has filed a report from the SHO, Police Station

Sadar Dhuri and submitted that the petitioner is involved in following four FIRs: -

- “1. FIR No.172 dated 15.05.2010 under Section 15/61/85 of NDPS Act, registered at Police Station Payal.*
- 2. FIR No.67 dated 09.03.2020 under Sections 21, 22/61/85 of NDPS Act, registered at Police Station Sadar Dhuri.*
- 3. FIR No.83 dated 27.04.2020 under Sections 188, 269, 270, 271 IPC and Section 51 Disaster and Management Act, registered at Police Station City Dhuri.*
- 4. FIR No.47 dated 17.02.2022 under Sections 61/1/14 of Excise Act, registered at Police Station Sadar Dhuri”*

After hearing learned counsel for the parties and considering the fact that the petitioner is named in the FIR and allegation is that he had given money to co-accused to administer some intoxicant substance to Nandu Ram through an injection, who later on died and also in view of antecedents of the petitioner, who is involved in four more FIRs; two FIRs under NDPS Act and two other FIRs, I find no ground to grant him anticipatory bail.

Accordingly, the present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

10.11.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No