

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

CRM-M-5187-2023

Date of decision : 10.08.2023

GURPREET SINGH @ GOPI

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

Interim protection to the petitioner was granted by this Court
vide order dated 2nd of February, 2023 observing as under :

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.33 dated 17.9.2020 registered under Sections 302, 201, 34 IPC (Sections 29 of NDPS Act added later on) at Police Station Airport, District Police Commissionerate Amritsar.

Counsel for the petitioner submits that initially, the petitioner was named in the FIR along with Dilpreet Singh alias babbu and Gurmukh Singh on the basis of the statement of complainant-Amrik Singh wherein he alleged that the aforesaid persons murdered his son Gurpreet Singh; that, however, during the investigation, the petitioner, Dilpreet Singh @ Babbu and Gurmukh Singh were found innocent by the police and the police presented the challan against Dalbir Singh and Gurmandeep Singh while the petitioner was placed in column No.2 of the said challan. Thereafter, during the trial, the prosecution partly examined complainant-Amrik Singh as PW1 and thereafter, on an application moved by the complainant under Section 319 of

Cr.P.C., the petitioner, Dilpreet Singh @ Babbu and Gurmukh Singh are summoned as additional accused by the learned trial Court. He further submits that aforesaid Dilpreet Singh @ Babbu and Gurmukh Singh have already been granted anticipatory bail by this Court vide order dated 16.1.2023 (Annexure P-6) and that the petitioner is also entitled to same relief on the ground of parity.

Notice of motion.

Mr. C.L.Pawar, Addl. AG, Punjab accepts notice on behalf of the State and apprised the Court that the petitioner has been summoned as additional accused under Section 319 of Cr.P.C. and that similarly situated co-accused Dilpreet Singh @ Babbu and Gurmukh Singh were granted concession of anticipatory bail by this Court vide order Annexure P-6.

Now be listed on 10.8.2023.

In view of above, the petitioner is hereby directed to appear before the learned trial Court on or before the next date fixed there and on doing so, the petitioner is directed to be released on interim bail by the learned trial Court to its own satisfaction till the next date fixed in the present petition.”

Today Counsel for the petitioner does not dispute that the petitioner has misused the concession and has absconded. Proceedings under Section 82 of the Cr.P.C. already stand initiated against the petitioner.

Keeping in view the conduct of the petitioner, the present petition is dismissed.

August 10, 2023
Dpr

(Pankaj Jain)
Judge

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