

2023:PHHC:090789

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM M 34390-2023
Date of decision: 19.07.2023

Gurpreet Singh

.....*Petitioner*

Versus

State of Punjab

.....*Respondent*

Coram: Hon'ble Mr. Justice Rajbir Sehrawat

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Present: Mr. Navraj Singh Mahal, Advocate for the petitioner

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Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 438 of the Criminal Procedure for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No.286 dated 30.10.2022 registered under Sections 302, 307 and 120-B of the Indian Penal Code (Section 25 of the Arms Act deleted later on) at Police Station Canal Colony, Bathinda (Annexure P-1).

It is submitted by counsel for the petitioner that initially the petitioner was not named in the FIR. However, his name has surfaced in the supplementary statement, recorded after 22 days of the incident. Therefore, on the basis of the supplementary statement, a false case has been registered against the petitioner. It is further submitted that even as per the story of the prosecution, the petitioner is not alleged to have caused any injury. Therefore, the petitioner would not be required for any custodial interrogation. Counsel for the petitioner has relied upon the order dated 01.06.2023 passed in CRM M 28527-2023, to contend that the co-

accused with similar allegations has already been granted concession of anticipatory bail.

Notice of Motion.

Mr. Sandeep Singh, Additional Advocate, on instructions from ASI Sardul Singh, P S Jandiala Guru, Amritsar, as well as, Mr. J S Thind, Advocate appearing for the complainant submit that the petitioner is involved in a heinous crime. The name of the petitioner has specifically been mentioned in the supplementary statement recorded on 21.11.2022. As per the aforesaid statement, the petitioner is alleged to have purchased the weapon of offence and supplied the same to the assailants. Not only that, the petitioner also instigated the assailants to commit the murder. Therefore, the petitioner is directly involved in the case.

Keeping in view the peculiar facts and circumstances of the case, this Court is of the opinion that the allegations against the petitioner are serious in nature and the same are required to be investigated in the right earnest. Therefore, this Court does not find any ground to grant the petitioner concession of anticipatory bail.

Dismissed.

(Rajbir Sehrawat)
Judge

July 19, 2023
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Whether speaking/reasoned	Yes/No
whether reportable	Yes/No