

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-48632-2023

Date of Decision: December 19, 2023

Shubham

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Gurmej Singh Bhinder, Advocate,
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Prayer in the instant petition is for grant of anticipatory bail in case FIR No.69, dated 30.04.2023, registered under Sections 304, 34 of the IPC (Sections 302, 449, 364, 506 and 452 of the IPC added lateron), at Police Station Shahkot, District Jalandhar.

2. The allegations *qua* the petitioner as culled out from the perusal of FIR are that a co-accused Buta Ram son of Lachman Dass, present petitioner Shubham son of Lal Chand and one Joga son of Gurnam Singh, entered into the house of the complainant party. Further, they gave beatings to Gursharanpreet Singh and thereafter they took him to their house, where again he (deceased) was given beatings and he was administered poisonous substance which caused his death.

3. The relevant extract of FIR reads as under:-

"Statement of Balwinder Singh son of Jagdish Singh, resident of village Nihaluwal, P.S. Lohian, District Jalandhar Rural, aged 32 years, mobile no.90564-80785 stated that I am resident of above mentioned address and is doing work of carpenter. I have been married for last 15-16 years with Surjit daughter of Tara

Chand resident of village Mianwal Arayian, PS Shahkot, District Jalandhar. Yesterday on 29.04.2023, at about 5.00/5.30 p.m., I had come to my in laws house at village Mianwal Arayian I was going to have tea when Buta Ram son of Lachman Das, resident of village Mianwal, Joga son of Gurnam resident of village Shekhewal and Shubham son of Lali resident of village Salechian, PS Shahkot came inside my in laws house as main door was opened. They started giving beatings to my brother-in-law Gursharanpreet Singh son of Tara Chand and while giving beatings they took him to the house of Buta Ram where they again gave beatings to him and while giving beatings to him and administered some poisonous substance in his mouth. When I raised raula in the village then they threw my brother in law out from their house. I took him to Civil Hospital Shahkot after arranging a vehicle where they referred him to CH Jalandhar. The condition of my brother-in-law was very serious thereafter we got him admitted in Arman Hospital Jalandhar, where he died during treatment. My brother-in-law died on account of beatings given by above said persons and by administering some poisonous substance to him by the said persons. Necessary action be taken against the said persons. I have got recorded my statement in the presence of Pawan Kumar Panch of the village Sd/- Balwinder Singh Sd/- Pawan Kumar Panch, attested by ASI Sulinder Singh, PS Shahkot, datd 30.04.2023. Today ASI alongwith Pawan Kumar Panch son of Shadi Ram resident of Mianwal Ariyan came present Balwinder Singh before me ASI and got his above statement recorded. This was read out and explained with signed the same in Punjabi. Pawan Kumar Panch also attested the statement from the statement on offence under section 304,34 IPC is made out. The FIR be registered and the number be conveyed and special report be sent, control room be informed. ASI alongwith S/CT Navdeep Singh 854 and PHG Sukhdev Singh number 28254 alongwith complainant are going for investigation to Aman Hospital Jalandhar, today in the jurisdiction of Police Station Shahkot at 2.20 p.m. there Sulinder Singh ASI Police Station Shahkot dated 30.04.2023. The above FIR to be registered a copy is being sent through Rajbir Kumar no. 1782 Jalandhar to ASI for investigation. Control room is informed. Compliance report no.18 at 03.00 p.m. dated 30.04.2023."

4. Learned Counsel for the petitioner to substantiate his claim for the asked for relief of grant of anticipatory bail to the petitioner, submits that the presence of the complainant is highly disputed as he is not of the same village. Further, the petitioner has also lost his sister and it is a case of suicide as both Gursharanpreet Singh and Manpreet Kaur were having love affair and because they could not succeed in getting the marriage solemnized they consumed the poisonous substance and ended their life.

5. Learned State counsel has opposed the asked for relief on the ground that the present case is of honour killing, where both girl and boy have been murdered by the accused party and their custodial interrogation is required for conclusion of the investigation.

6. This Court has examined the allegations minutely.

7. The instant case is of murder of two persons, i.e. Gursharanpreet Singh and Manpreet Kaur. There are specific allegations against the petitioner, that he alongwith other co-accused entered the house of deceased-Gursharanpreet Singh. He (deceased) was abducted thereupon and was given beatings and subsequently, he died because of consumption of some poisonous substance at the place belonging to the co-accused-Buta Ram. Therefore, this Court refrains itself from exercising its extraordinary power to grant the asked for relief of pre-arrest bail in a case where there is an allegation of committing murder of two persons.

8. Consequently, the instant petition is dismissed, being devoid of merits.

December 19, 2023

dharamvir

**(KULDEEP TIWARI)
JUDGE**

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No