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

CRM-M No. 62602 of 2023 (O&M)

Date of Decision: 13.12.2023

Balwinder Singh @ Baggo and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Amit Arora, Advocate
for the petitioners.

Mr. Shubham Kaushik, Assistant Advocate General, Punjab

Mr. Prince Sharma, Advocate
for the complainant.

HARKESH MANUJA, J. (ORAL)

The petitioners, by way of present petition under Section 438 Cr.P.C., pray for grant of pre-arrest bail in case FIR No. 106, dated 01.07.2023, under Sections 302, 341, 148 & 149 of IPC, registered at Police Station Sadar Tarn Taran, District Tarn Taran, wherein the petitioners have been implicated for having committed the murder of one Kashmir Singh.

[2] Learned counsel for petitioners submits that the petitioners were never present at the spot and in this regard, the petitioners have already submitted a representation before the Senior Superintendent of Police, Tarn Taran, which is under consideration. He further submits that the petitioners have been implicated merely being relative of the main

accused-Piara Singh. He further points out that one of the co-accused, namely, Akashdeep Singh, has already been granted the concession of pre-arrest bail vide order dated 05.12.2023 passed by this Court; thus prayer is for their bail on parity.

[3] On the other hand, learned State Counsel as well as learned counsel for the complainant vehemently oppose the prayer of petitioners, while submitting that there are specific allegations against the petitioners as they were named in the FIR, besides inflicted injuries upon the deceased-Kashmir Singh.

[4] I have heard learned counsel for the parties as well as gone through the paper-book and do not find any substance in the submissions made on behalf of the petitioners.

[5] In the present case, a perusal of FIR shows that the petitioners were specifically named in the FIR being at the place of incident. Furthermore, as per version given in the FIR, the petitioners continued inflicting injuries upon the deceased-Kashmir Singh with their respective weapons.

[6] It may be pointed out here that co-accused, namely, Akashdeep Singh, was granted concession of pre-arrest bail primarily on the reason of his disability of ninety per cent.

[7] Therefore, considering the nature of allegations levelled against the petitioners; the gravity of offence; they being specifically named in the FIR; their plea of alibi being triable by Court of Sessions and being attributed specific allegations, I do not deem it fit to grant the

concession of pre-arrest bail to the petitioners.

[8] Accordingly, finding no merit in the present petition, the same is hereby **dismissed**.

December 13, 2023

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**(HARKESH MANUJA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>