

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.7156 of 2024 (O&M)
Date of Decision: 22.02.2024

Tarandeep Singh
..... Petitioner
Versus
State of Punjab
..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gurbir Singh Sidhu & Mr. Nikhil Jindal, Advocates
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (*for short* 'Cr.P.C. ') for grant of pre-arrest bail to the petitioner in FIR No.36 dated 21.02.2023, under Sections 304, 323, 341, 427, 148 read with Section 149 of the Indian Penal Code, 1860 (Section 302 IPC added later on); Section 25 of the Arms Act, 1959, registered at Police Station Sadar Kharar, District SAS Nagar.

(2) Above FIR was registered on the basis of statement made by complainant-Charanjeet Singh with the allegations that petitioner, along with

other co-accused, attacked his son-Babanpreet Singh and due to which, he had died.

(3) In compliance of order dated 09.02.2024, short affidavit dated 22.02.2024 of Sh. Karan Singh Sandhu, DSP, Sub Division Kharar-1, District SAS Nagar has been filed. The same is taken on record. Copy thereof supplied to the opposite side.

(4) Learned Counsel for the petitioner contends that petitioner has been falsely implicated in the present case; hence, his custodial interrogation is not required.

(5) *Per contra*, learned State Counsel, on instructions from ASI Jasvir Singh, opposed the bail while submitting that petitioner, along with other co-accused, committed the offence due to old rivalry between him and deceased-Babanpreet Singh. Also submits that proclamation proceedings against the petitioner along with other co-accused have already been initiated by learned Judicial Magistrate 1st Class, Kharar, vide order dated 18.01.2024 (P-14).

(6) Heard learned Counsel for the parties and perused the paper-book.

(7) Since the offences committed by the petitioner along with other co-accused are serious in nature; proclamation proceedings under Section 82 of the Cr.P.C. have already been initiated against them and two more cases of similar nature are pending against the petitioner. Thus, in order to ascertain the mode and manner of commission of alleged offence, custodial interrogation of the petitioner is required.

(8) In view of the above, there is no option except to dismiss the petition.

(9) Ordered accordingly.

- (10) The above observations may not be construed as an expression of opinion on merits of the case.
- (11) Pending application(s), if any, shall also stand disposed off.

22nd February, 2024
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(MAHABIR SINGH SINDHU)
JUDGE

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