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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.7667-2024
Date of Decision:-09.05.2024

MANPREET SINGH @ KHATRI

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Umesh Aggarwal, Advocate, for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J (ORAL)

Learned State counsel has filed status report by way of affidavit dated 09.05.2024 of Deputy Superintendent of Police, Sub-Division Ajnala, Amritsar (Rural), the same is taken on record. Copy thereof, has been supplied to the counsel opposite.

2. By way of the present petition filed under Section 438 Cr.P.C the petitioner is praying for anticipatory bail in the event of arrest in FIR detailed as under (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
175	29.08.2023	302, 34 IPC and 25, 27 of Arms Act	Ajnala, Amritsar

3. Learned counsel for the petitioner *inter alia* contends that the petitioner is innocent and has been falsely implicated in this case. He



submits that the petitioner was not named in the FIR nor has any role in the alleged occurrence. He contends that petitioner is ready to join the investigation, as such he prays for grant of concession of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel referring to the reply dated 09.05.2024 has opposed the bail application by arguing that the petitioner has actively participated in the crime in helping the co-accused Dalbir Singh @ Bir in committing the murder of Baljinder Kaur and as such his custodial interrogation is required as such prayed for dismissal of the bail petition.

5. After hearing the respective submissions and perusing the record, it transpires that the present case was registered on the basis of statement given by complainant Mukhtiar Singh father of the deceased Baljinder Kaur aged about 13 years claiming that his neighbour Dalbir Singh @ Bir was having bad eye on his daughter and wanted to marry her but he was told that she was minor. He has sent his daughter to the house of her aunt in Basti Jagiwal, village Sarangdev for last 2 months and on 29.08.2023 he had gone to meet his daughter along with his wife and at about 4:00 PM his wife along with Surjit Kaur were sitting in the courtyard on the cot. In the meanwhile, Dalbir Singh @ Bir armed with pistol alongwith Daljit Singh and an unknown person came on Aactiva and motor cycle and Dalbir Singh fired from his pistol on Baljinder Kaur which hit her on the neck, as a result she fell down, on raising hue and cry, the assailants ran away and the injured was shifted to the hospital where she succumbed to the injuries.

6. During the course of investigation, Dalbir Singh @ Bir was



arrested on 30.08.2023 and he made disclosure statement naming the present petitioner having participated in the occurrence in taking him to the place of occurrence on its Activa scooter. Considering the facts and circumstances of the present case and the specific involvement of the petitioner and also considering the nature and gravity of the offence no case is made out in favour of the petitioner for grant of anticipatory bail, as his custodial interrogation is required. Accordingly, finding no merit in the present petition, the same is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

09.05.2024
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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No