

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(107)

CRM-M-20937-2024
Date of Decision:-29.04.2024

KULDEEP SINGH

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Jitender K. Sehrawat, Advocate
for the petitioner.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 255 dated 16.04.2020, under Section 302 of Indian Penal Code, registered at Police Station City Hisar, District Hisar.
2. Learned counsel for the petitioner submits that the petitioner was posted as PSO of DSP Kaptan Singh along with another PSO namely Vikram. The main FIR is against Vikram, who allegedly murdered his wife with his service weapon. The allegations on the petitioner are that he tried to deposit that weapon in the armory on a back date, which would amount to tampering with the evidence, however, learned counsel for the petitioner has argued that the NARCO test of the petitioner was duly conducted and as per the report, it came out that the petitioner did not do any wrong and hence, prays for the grant of anticipatory bail, as the petitioner has been summoned on an application under Section 193 of the Code of Criminal

3. Learned counsel for the petitioner further submits that, in fact, the pistol which was deposited in the Armory was in possession of the petitioner, as the same was given to him by the main accused-Vikram as both the PSO and DSP-Kaptan Singh were having only one weapon.

4. Notice of motion.

5. Mr. Siddharth Attri, AAG, Punjab accepts notice on behalf of respondent-State and has vehemently opposed the grant of any concession to the petitioner on the ground that all the other co-accused except for Satish had approached this Court and their anticipatory bails already stand dismissed and more so, the proclamation has been issued against the present petitioner and hence, this Court may not grant any concession to the petitioner. As regards the NARCO Analysis, he submits that the same is a matter of evidence and more so, in the said NARCO Analysis what is coming out is that the petitioner admitted to be in possession of the official pistol of 09 MM which was allocated to Vikram. It is also submitted that it is highly improbable that two PSOs would be using only one weapon and if that was the situation what necessitated the petitioner did deposit the same in the armory.

6. After hearing learned counsel for the parties at length and going through the entire record, what comes out is that there are serious allegations and a specific role is attributed to the petitioner in tampering with the evidence and more so, the counsel for the petitioner has not been able to point out any illegality in the order dated 29.01.2024, passed by the Court below, summoning the petitioner under Section 193 Cr.P.C.

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7. Accordingly, I do not find that the petitioner has been able to carve out a case for the grant of the extra ordinary concession of anticipatory bail. Accordingly, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

April 29, 2024
Parul

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