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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-37548-2024
Date of Decision:-21.11.2024

PALWINDER SINGH ALIAS LADDI

... PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Dheeraj Mahajan, for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

Mr. A.S. Manaise, Advocate for the complainant.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner is praying for anticipatory bail in the event of arrest in FIR detailed as under :-

FIR No.	Dated	Sections	Police Station
29	17.06.2024	306, 506, 34 IPC	Dorangla, District Gurdaspur

2. Argument heard.
3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He is not having any criminal antecedents and has no concern with the demise of Jashanpreet Singh. He contends that his name has been mentioned by the



police as result of afterthought because initially the mother, grandfather and uncle of the deceased had taken the deceased for treatment to Oberoi Hospital, Gurdaspur where they had specifically told the hospital staff that they did not want to inform the police as Jashanpreet Singh has consumed some medicine and later FIR was registered on his demise. He contends that only piece of evidence against the petitioner is that as per the case of the prosecution his name is mentioned on a written piece of paper allegedly by the deceased alongwith three other persons. He as such prayed for grant of anticipatory bail.

4. *Per contra* learned State counsel assisted by learned counsel for the complainant referring to the reply submitted by the State and on instructions from ASI Davinder Singh has opposed the bail application by arguing that the deceased during course of statement has named the present petitioner alongwith three other persons with whom, according to the complainant, he had scuffle on the fateful day. He submits that custodial interrogation of the petitioner is required. Hence prayed for dismissal of the petition.

5. After considering the rival contentions and perusing the record, it transpires that instant FIR was registered on the statement of Kuldeep Kaur stating that her son Jasanpreet informed her on telephone on 01.06.2024 at about 12:30 PM that a fight has taken place with Harpinder Singh, Bunty, (present petitioner) Laddi and Jobanpreet Singh and they had threatened to eliminate him. According to the complainant due to this her son consumed some poisonous substance and is suffering from pain at their



electric motor in the village. She alongwith her father and other relatives went to the electric motor and took her son to Oberoi Hospital, Gurdaspur and on initial treatment on 03.06.2024 they brought him back to their home and again on 04.06.2024 due to pain he was taken to Oberoi Hospital, Gurdaspur and on 05.06.2024 he was referred to Atlastis Hospital, Amritsar where he ultimately died and present FIR was registered.

6. It is evident from the perusal of record that although the complainant and other relatives of the deceased had claimed the deceased have been taken some medicine by mistake when taken to hospital but later during course of treatment he had written the name of the petitioner and three other persons on a piece of paper as he was unable to speak and this fact was also captured in mobile recording. In these circumstances, considering the nature and gravity of offence, no case is made out in favour of the petitioner for grant of anticipatory bail 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

21.11.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |