



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

107

CRM-M-1436-2025

Date of decision: January 14th, 2025

Manjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gautam Dutt, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

Petitioner has approached this Court seeking the concession of anticipatory bail in FIR No.47 dated 16.05.2024 under Sections 302, 364, 342, 120-B of the IPC (Sections 302, 364, 342, 120-B of the IPC deleted and Section 304 of the IPC added later on) registered at Police Station Arniwwala, District Fazilka, on the ground that he is innocent and has been falsely implicated in the case of the alleged murder of the brother of the complainant, Sandeep Kumar. It has been contended that the complainant, who is not an eyewitness to the incident, has levelled baseless allegations against him, specifically accusing him of dragging the deceased from his car and assaulting him with an iron rod.

2. It has been further asserted by learned counsel for the petitioner that the allegations lack credibility and are motivated by malice. To substantiate this claim, reliance is placed on Annexure P-2, which is a DDR recorded by the petitioner against the deceased prior to the alleged incident. It has been asserted that a perusal of the DDR

reveals that the deceased forcibly entered the house of the petitioner on 09.05.2024, and committed rape upon the wife of the petitioner; a passerby, upon hearing the cries of the victim, locked the door to prevent the accused from escaping, following which the deceased was apprehended and beaten by members of the public. Learned counsel for the petitioner asserts that video evidence of the deceased being beaten up by the public corroborates the non-involvement of the petitioner in the crime in question and further proves that he was not present at the scene when the deceased was allegedly assaulted.

3. Learned counsel has also argued that certain co-accused, against whom specific allegations were made, have been exonerated by the police on the ground that the allegations were fabricated and false, further weakening the case against the petitioner. A prayer has, therefore, been made by the learned counsel for grant of anticipatory bail to the petitioner.

4. Notice of motion.

5. Mr. H.S. Deol, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent.

6. Learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite. It is submitted, on instructions, that the allegations against the petitioner, as detailed in the FIR, are grave and specific. The petitioner is alleged to have forcibly dragged deceased Sandeep Kumar, from his vehicle, taken him to his house and thereafter inflicted fatal injuries with an iron rod. The State counsel has also pointed out certain inconsistencies with respect to the submissions made by the learned counsel for the petitioner. It has been submitted that while the petitioner claims that DDR was recorded

against the deceased on 22.06.2024, however, the alleged incident of rape took place on 09.05.2024, and the FIR implicating the petitioner in the murder was registered on 16.05.2024. This sequence of events raises big question mark about the false implication as claimed by the petitioner.

7. I have heard learned counsel for the parties and perused the relevant material on record.
8. This Court finds no merit in the submissions made by the learned counsel for the petitioner. The allegations against the petitioner, as contained in the FIR, are not only specific but also grave, as they involve the deliberate and brutal act of dragging the deceased from his car, taking him to his house and thereafter assaulting him with an iron rod, resulting in his death.
9. In the light of the foregoing, no ground is made out for grant of extraordinary concession of anticipatory bail to the petitioner.
10. The instant petition stands dismissed.
11. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

January 14th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes