



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-57817-2024 (O&M)
Date of Decision:- 18.02.2025

TAHAL SINGH

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Kuldeep Singh, Advocate for the petitioner.
Mr. Surender Singh, A.A.G. Haryana.
Mr. S.K. Bishnoi, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case
FIR as under:

FIR No.	Dated	Sections	Police Station
110	02.05.2024	346 IPC; (120-B, 147, 149, 302, 201, 506 IPC added later on) (346 IPC deleted later on)	Sadar Ratia, District Fatehabad

2. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in the case. He
contends that no specific role has been attributed to the petitioner and his
name surfaced in the supplementary statement of the complainant. He
submits that the petitioner is ready to join investigation and has prayed for
grant of anticipatory bail to the petitioner.



3. *Per contra*, learned State counsel assisted by learned counsel for the complainant, while referring to the status report filed by State has opposed the petition on the ground that there are specific allegations against the petitioner of being actively involved in throwing the dead body of the deceased Gurdev Singh @ Joga after he had died on account of overdose of narcotic substance given to him. Hence, the custodial interrogation of the petitioner is required and prayed for dismissal of the bail petition.

4. As per the case of prosecution, on 08.05.2024, dead body of Gurdev Singh @ Joga was recovered from Rajrana canal. The wife of the deceased namely Ramandeep Kaur recorded her statement before the Police, stating that accused Balwinder Singh @ Giani, Veerpal Kaur, Surender @ Sonu, Inderpal @ Chhinda, Gurdeep Singh and Tahal Singh (petitioner herein) and Kuldeep Kaur had murdered her husband by giving him overdose of narcotics and thrown the dead body into Rajrana canal. Accordingly, on 20.06.2024, co-accused Surinder Singh @ Sonu and Balwinder Singh @ Giani were arrested. Similarly, on 06.07.2024, co-accused Chhinderpal @ Chhinda was arrested and challan against them was presented in Court on 11.09.2024. During further investigation, on 21.09.2024 co-accused Gurdeep Singh @ Deepa was arrested.

5. During the course of investigation on 05.06.2024, the Investigating Officer also recorded the statement of one Krishan Kumar (Annexure P-3), wherein he had specifically stated that Gurdev Singh @ Joga died due to overdose given by Sonu and after his death, co-accused Sonu, Balwinder Singh @ Gyani, Gurdeep Singh, Tahal Singh (petitioner



herein), Chhinda Singh together destroyed the dead body of deceased and put the dead body in some vehicle and threw it in the canal.

6. A perusal of the status report filed by the State would reveal that on 01.05.2024, Gurdev Singh came to the house of co-accused Surender Singh @ Sonu and asked to give him heroin. Thereafter, Gurdev Singh asked co-accused Sonu to inject him with said heroin on which co-accused Sonu filled the heroin in the injection and injected Gurdev Singh and due to the overdose Gurdev Singh became unconscious. Then at about 8:30/9:00 PM, all the accused including the petitioner made a plan to dispose of the body of Gurdev Singh @ Joga and decided to throw the body of Gurdev Singh in the canal and parked his motorcycle there. It is apparent that the petitioner in collusion with other co-accused hatched a criminal conspiracy to dispose of the dead body of deceased Gurdev Singh and in this manner has actively participated in the crime.

7. Therefore, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

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

(SANJIV BERRY)
JUDGE

18.02.2025

S.Sharma(syr)

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