

PRABHJOT SINGH VERSUS STATE OF PUNJAB
IN THE COURT OF SH. SHATIN GOYAL, VACATION JUDGE,
JALANDHAR (UID No. PB0157)
(NRI Court)

CIS Case No : BA-2490 of 2019
CNR No : PBJL01-014433-2019
Date of Institution : 13.06.2019
Date of Order : 19.06.2019

Prabhjot Singh aged 40 years son of Sarwan Singh, resident of village Chak Chela, P.S. Lohian, District Jalandhar.

...Applicant-accused

Versus

State of Punjab

FIR No.61 dated 05.06.2019
U/s 304, 201, 34 IPC
P.S.Lohian, Jalandhar.

First Bail Application U/s 438 Cr.P.C.

Present: Sh.Sanjive Bansal, Advocate for the applicant-accused.
Sh.Sachin Azad, Additional P.P for State.

ORDER:

1. Heard on the anticipatory bail application of applicant-accused Prabhjot Singh.
2. The case of the prosecution in brief is that one Surinder Singh @ Shinda was working under Sarwan Singh for the last 14-15 years, helping him in agricultural works. This Surinder Singh was addicted to liquor and other intoxicants. On 03.06.2019 at around 6:30 P.M (evening), said Surinder Singh went to the motor of Bhupinder Singh Bittu. After taking illicit liquor from Bhupinder Singh, due to liquor Surinder Singh died. This Bhupinder Singh and Sarwan Singh instead of informing the police, along with Prabhjot Singh took the dead body of

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Surinder Singh to the agricultural land and at around 9:00 P.M committed cremation. Therefore, these persons Sarwan Singh, Bhupinder Singh Bittu and Prabhjot Singh committed offences under Section 304, 201 IPC.

3. Learned counsel for applicant-accused Prabhjot Singh submitted that they have been implicated in a false case for settling political scores. It is being done under the influence of local M.L.A. From the FIR itself, it is not clear that ingredient of offence under Section 304 IPC or 201 IPC is involved. Death of deceased Surinder Singh occurred due to excessive consumption of liquor and drugs. Further, after the death, matter was reported to Panchayat and Panchayat itself resolved that cremation be done at the village itself and the same was done accordingly. It is being submitted that there is nothing unnatural or fishy in the whole incident and a false FIR has been registered. A prayer is made for grant of bail.

4. Learned Additional P.P however, opposed the bail application, claiming that serious allegations are there. One person has died. Matter needs to be investigated. A prayer is made for dismissal of bail application.

5. I have considered the rival submissions and am of the opinion that one person has died in the present case. Though, direct allegations are not there about any injury or act, due to which Surinder Singh died, but still allegations to this extent are certainly there that dead body was cremated in a hurry against procedure. In such like circumstances, custodial interrogation of applicant-accused may be needed to further

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elucidate the matter. This is not a fit case where discretion of anticipatory bail needs to be exercised in favour of applicant-accused. Instant anticipatory bail is accordingly held to be without merits and the same is hereby dismissed.

6. Nothing observed herein shall have any bearing upon the merits of the case and shall confine its effect only for the purpose of disposal of the present bail application. Record, if any be returned and bail application papers be consigned to Record Room, Jalandhar.

Pronounced in the open Court:

Dated:19.06.2019

*Vivek**

**Shatin Goyal,
Vacation Judge,
Jalandhar (UID No.PB0157)
(NRI COURT)**