

JANAK RAJ

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Ravinder Kaur Manaise, Advocate
for the petitioner.

Mr. Deepak Garg, AAG, Punjab.

Mr. Deepak Arora, Advocate
for the complainant.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred by Janak Raj under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No. 72, dated 23.12.2011, under Sections 307, 148, 149 and 34 IPC and Section 25 of Arms Act registered at Police Station Ghuman Kalan, District Gurdaspur.

2. Learned counsel for the petitioner has *inter-alia* contended that petitioner has been falsely implicated in this case and no specific injury has been attributed to him. Even, otherwise, petitioner is 62 years of age and a Sewadar in Gurdwara Sahib. Nothing is to be recovered from him. Parties have also arrived at a compromise. These facts have not been disputed by learned State counsel as well as counsel for complainant.

3. Petitioner is also enjoying the concession for the last about one year when his arrest was stayed by a co-ordinate Bench of this Court. In the given

circumstances, it would not be desirable to send the petitioner behind the bars.

4. Accordingly, instant petition is allowed but subject to the conditions as envisaged under Section 438 (2) of the Code of Criminal Procedure.

JULY 31, 2015
SHAM

(JASPAL SINGH)
JUDGE