

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-No. 34761 of 2014
Date of Decision: 02.03.2015

Paramjit Singh @ PammaPetitioner
Versus
The State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. H.S. Bhullar, Advocate for the petitioner.

Mr. Gurinderjit Singh, Deputy Advocate General, Punjab.

HARI PAL VERMA, J.(ORAL)

Prayer in the present petition filed u/s 438 Cr.P.C. is for grant of concession of anticipatory bail to the petitioner-Paramjit Singh @ Pamma who has been booked for having committed the offences punishable under Section 302 IPC and Section 25 of the Arms Act, in a case arising out of FIR No. 86, dated 13.08.1990, registered at Police Station, Phillaur, District Jalandhar.

Learned counsel for the petitioner contends that Jagdaman Lal, the co-accused of the petitioner had faced trial in the above noted case and was acquitted by Ld. Sessions Judge, Jalandhar, vide judgment dated 30.11.1992. He further contends that without knowing the fact that the instant FIR was registered on 13.08.1990, the petitioner left India and went abroad on 28.08.1990. It has also been contended that Manjeet Singh had appeared as PW-4 during trial, faced by Jagdaman Lal and deposed as under:

"I do not know any Jagdaman Lal much less the accused present in the Court. However, one Paramjit @ Pamma had come to me in the year 1991. His father's name is Darshan Singh. He told me that by mistake he had committed the murder of Joginder Singh and that since I had influence with the police, as such, he be got produced before the police."

Learned counsel for the petitioner further pointed out that the petitioner had left India on 28.08.1990 and as such there was no occasion for the petitioner-Paramjit Singh @ Pamma to suffer extra judicial confession in the year 1991. He further contends that the petitioner is ready and willing to surrender before the Ld. Court below to face trial. To buttress his submission, the Ld. counsel for the petitioner has placed reliance on **Harbans Singh Gill vs. State of Punjab, 2008(4) RCR, Criminal, 447,** where in the similar circumstances pre-arrest bail was granted.

On the other hand the Ld. counsel for the State after taking instructions from Head Constable-Roop Parkash of Police Station, Phillaur, submits that he has no objection if the petitioner surrenders and faces trial before the Ld. Trial Court.

In view of the above, the present petition is disposed of with a direction that in case the petitioner appears before Ld. Trial Court within five weeks of passing of this order then he shall be admitted to bail subject to his furnishing bail bonds to its satisfaction.

March 02, 2015
Anjal

(**HARI PAL VERMA**)
JUDGE