

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

Date of decision:01.04.2016

Sunny Walia @ IK

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Prateek Pandit,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Prayer is for grant of anticipatory bail in case FIR No.78 dated 17.5.2009 under Sections 323, 324, 326, 452, 436, 427, 152, 380, 506, 148,149 IPC (offence under Sections 326,452 IPC deleted later on and offences under Sections 324/152 IPC added) PS Division No.5, Jalandhar.

For the occurrence on the night of 17.5.2009, whereby the petitioner accused being a part of an unlawful assembly had entered the house of complainant Balkishan and inflicted injuries while setting his shop on fire, he was nominated as an accused.

Petitioner was declared a PO on 20.11.2010 and now after rest of the co-accused have been acquitted vide judgment dated 3.1.2015 on complainant party turning hostile. Petitioner is seeking

anticipatory bail to face trial.

It is contended that there was a dispute between neighbours and compromise having been effected, the petitioner being a Cleaner on a truck had gone to Maharashtra resulting into he being declared a PO. Thus, it is sought to be urged that the case of the petitioner is bona fide.

After hearing learned counsel, no case for indulgence is made out.

Even if the petitioner under a bona fide belief of compromise had initially stayed away from the proceedings there is absolutely no justification for evading the process of law for almost five years when an application before the trial court for grant of anticipatory bail was moved on 23.11.2015.

Dismissed.

01.04.2016
joshi

(Jaswant Singh)
Judge