

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

CRM-M No. 29155 of 2016
Date of decision : August 30, 2016

Ajay Hans

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. AS Khinda, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.72, dated 29.6.2009, registered under Sections 323, 324, 341, 427, 148, 149 of the IPC, at Police Station Subhanpur, District Kapurthala.

Counsel for the petitioner has argued that after the incident, the parties had compromised and the petitioner went abroad. Thereafter, somehow he was declared proclaimed offender but on the basis of that compromise, the other co-accused was acquitted. The petitioner had no

knowledge about the pendency of the present case.

Learned Addl. AG Punjab has accepted the fact that the petitioner is living abroad and the other co-accused was acquitted on the basis of the compromise.

In these circumstances and keeping in view the decision of this Court in Harbans Singh Gill v. State of Punjab, 2008(4) RCR (Criminal) 447, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, this petition is allowed and it is directed that in the event of his arrest, the petitioner shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

August 30, 2016
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No