

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

Sr. No.102

CRM NO. M-44180 of 2016

DECIDED ON: December 13, 2016

HARPREET SINGH @ LADDI

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. L.S. Lakhanpal, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Section 438 Cr.P.C., petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.170, dated August 19, 2016, under Sections 302 & 34 IPC, registered at Police Station Nakodar, District Jalandhar (Rural), during the pendency of trial.

Admittedly, petitioner earlier preferred a petition under Section 438 Cr.P.C., which was withdrawn by him on November 17, 2016 and a fresh petition has been moved simply on the ground that complainant has executed an affidavit to the effect that complainant has decided not to pursue the present case in order to keep peace and harmony in the locality. The said affidavit was also available when the previous petition was withdrawn. Thus, there is no substantial change in the fact situation after withdrawal of the previous petition. Otherwise also, there are specific allegations against the petitioner that he gave beatings to the deceased. It also appears that petitioner and his co-accused prevailed upon the

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complainant and have succeeded in obtaining the affidavit. Since, there are specific allegations against the petitioner, no case is made out for grant of pre-arrest bail.

Dismissed.

December 13, 2016
Avin/Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned **Yes/No**

Whether Reportable **Yes/No**