

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

Date of decision:20.01.2016

Nirmal Masih @ Babbi Masih

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Dinesh Mahajan,Advocate for the petitioner

Mr.Kirat Singh Sidhu,DAG Punjab

Jaswant Singh,J.(Oral)

Petitioner is seeking pre-arrest bail to face trial in case FIR no.39 dated 25.7.2012 under Sections 323,324,452,148 and 149 IPC, PS Kahnuwan,Tehsil and District Gurdaspur.

It is submitted that after lodging of the FIR, there was a compromise with the complainant and in that impression the petitioner has gone abroad to earn the livelihood. However, the challan was presented against other co-accused,who have since been acquitted since the complainant turned hostile.

It is contended that when the petitioner was declared as proclaimed offender, he had gone abroad on the basis of compromise,therefore, the action of the petitioner was bona fide.

Learned counsel further submits that in terms of the order dated 23.12.2015 petitioner has surrendered and has been granted interim bail by the trial court. It is further submitted that petitioner is ready to face trial.

In view of the aforesaid development, present petition is disposed of with the direction that the interim bail granted by the trial court pursuant to the order dated 23.12.2015 passed by this Court is made absolute.

20.01.2016
joshi

(Jaswant Singh)
Judge