

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

**CRM-M No.44586 of 2016 (O&M).
Date of Decision: 21.12.2016.**

Mohar Singh and anotherPetitioners.

VERSUS

State of PunjabRespondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Manvinder Singh Sidhu, Advocate for the petitioners.

Mr. C.S. Brar, Deputy Advocate General, Punjab.

Mr. Nakul Sharma, Advocate for the complainant.

SNEH PRASHAR, J.

The petitioners are wanted in a case based on First Information Report No.75 dated 17.07.2014 under Sections 307, 324, 323, 148, 149 of the Indian Penal Code (for short, "IPC") and Section 25/27 of the Arms Act registered at Police Station Lakho Ke Behram, District Ferozepur. Apprehending their arrest, petitioners Mohar Singh and Baljit Singh filed the instant petition for being given the benefit of anticipatory bail.

The submissions made by Mr. Manvinder Singh Sidhu, learned counsel representing the petitioners, Mr. C.S. Brar, learned Deputy Advocate General, Punjab and Mr. Nakul Sharma, learned counsel representing the complainant have been heard.

At the very outset, learned counsel for the petitioners submits that he does not press the instant petition for grant of anticipatory bail on behalf of Baljit Singh (petitioner No.2) and be allowed to withdraw the same. Accordingly, the petition qua Baljit Singh (petitioner No.2) is dismissed as not pressed.

As regards Mohar Singh (petitioner No.1), learned counsel submits that no specific injury was attributed to him. He also submits that the petition for anticipatory bail filed by all other accused has been allowed by this Court vide order dated 16.11.2016.

Though learned State counsel objects to the instant petition, but he concedes that no grievous injury or injury from a fire arm was suffered by either the complainant or any of his companion during the occurrence.

Considering the facts and circumstances and without going into the merits of the case and on the ground of parity, the concession of anticipatory bail is accorded to Mohar Singh (petitioner No.1) and the petition qua him is allowed. In the event of his arrest, he will be admitted to anticipatory bail to the satisfaction of the Arresting Officer, subject to the following conditions:-

- (1) that he shall make himself available for interrogation by the Investigating Officer as and when required;
- (2) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- (3) that he shall not leave India without prior permission of the Court.

Petitioner No.1 Mohar Singh will appear before learned trial Court within 30 days from the date he is admitted to bail by the Arresting Officer and will file an application for regular bail. On his doing so, he will be admitted to bail on furnishing bonds to the satisfaction of learned trial Court.

(SNEH PRASHAR)
JUDGE

21.12.2016
jitender sharma

Whether speaking/ reasoned : Yes

Whether Reportable : No