

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

CRM M-15899 of 2017

Date of decision : 09.11.2017

Jaskaran Singh

...Petitioner

V/s

State of Punjab & ors.

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mrs. J.J. Kaur, Advocate for the petitioner.

Mr. Harsimran Singh Sethi, Addl. A.G. Punjab.

RAJAN GUPTA J.

Petitioner has prayed for grant of pre-arrest bail in a case registered against him under sections 307, 326, 325, 324, 323, 148 & 149 IPC vide FIR no. 60 dated 31.10.2011 at police station Rawalpindi District Phagwara. It has been urged before the court that petitioner was never declared a proclaimed offender. His co-accused have been acquitted. Thus, petitioner deserves to be granted the concession of anticipatory bail. Plea has been opposed by learned State counsel. According to him, petitioner was earlier granted the concession of pre-arrest bail. He, thereafter, jumped bail and went to Canada. According to counsel, petitioner is still living in Canada. On due consideration of the matter, I feel that no case for granting the concession of anticipatory bail is made out. FIR was registered way-back in the year 2011. It was alleged that accused entered the house of complainant armed with sword, dattar and other sharp edged weapons. They gave sword blows on the head of injured and inflicted other injuries.

Though, petitioner was granted the concession of bail under section 438

Cr.P.C., however, he misused the same and went abroad without permission of the court. Thus, he is not entitle to discretionary relief of pre-arrest bail. The factum of acquittal of co-accused is not relevant in light of judgment of this court in *CRM M-13084 of 2014* titled as *Munfed & anr. vs. State of Haryana*.

Dismissed.

November 09, 2017
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No