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

**CRM-M No.6093 of 2017 (O&M)
Date of Decision: 15.03.2017**

GURDIP SINGH

.....Petitioner

Vs

HARBHAJAN SINGH

....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. A.S. Manaise, Advocate
for the petitioner.

Mr. K.S. Kahlon, Advocate
for the respondent.

RAJ MOHAN SINGH, J. (Oral)

CRM No.8682 of 2017

Application is allowed.

Accompanying document Annexue P-8 is taken on
record.

Main case

Petitioner seeks grant of anticipatory bail in case
bearing FIR No.46 dated 18.04.2009 registered under Sections
326, 324, 323, 506, 148, 149 IPC at Police Station Dhariwal,
District Gurdaspur.

After hearing the arguments from both the sides, it is transpired that FIR No.176 was registered on 24.09.2002 under Sections 326, 324, 323, 325, 148, 149 at Police Station Dhariwal, District Gurdaspur against the petitioner, wherein he was shown as empty handed. Thereafter a compromise was effected between the parties and as a result of that cancellation report was submitted by the Police.

At one point of time, the same was objected to by way of filing protest petition, but later on the complainant-party agreed and son of the respondent made a statement before the *Illaq*a Magistrate and the FIR was ultimately cancelled on 03.05.2008. Thereafter a complaint was filed on the same set of allegations on 18.04.2009 in which order of summoning has been passed by the trial Court on 26.03.2014 for the offence under Sections 326, 324, 323, 149 IPC. Even before the order of summoning, petitioner went abroad and was not served with the process of the Court. Ultimately, he was declared as a proclaimed offender on 17.11.2014. Co-accused of the petitioner contested the case and they were acquitted on 08.07.2016. Petitioner intends to join the proceedings before the trial Court.

In view of above, the present petition is disposed of with a direction to the petitioner to appear before the trial Court on

21.03.2017 to face the trial in accordance with law. In the event of his appearance, trial Court shall admit him on bail on furnishing requisite bail bonds/surety bonds subject to its satisfaction.

March 15, 2017

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No