

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

**CRM-M-11791-2018
Date of decision-21.03.2018**

Sukhdev Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Gurpreet Singh, Advocate for
Mr. Vikas Gupta, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.145 dated 11.08.2016 registered under Sections 307, 323, 148 and 325 read with Section 149 of the Indian Penal Code and Sections 25 and 27 of Arms Act at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1).

Contends that the complainant has entered into compromise and made a statement that injuries were not caused by the petitioner.

As per the FIR, the petitioner has caused two fire arm injuries i.e. one on the shoulder and the other on the cheek of the complainant which are duly reflected in the MLR.

At this stage, Mr. Umesh Aggarwal causes representation on behalf of the one injured/victim, namely, Heera Lal who contends that the petitioner is the same person who actively participated and caused injuries to the complainant. He further contends that the petitioner is in connivance with the police and the police is not arresting him.

I have heard learned counsel for the parties and have gone through the case file.

This is a second bail petition. The first petition for grant of anticipatory bail was dismissed, vide order dated 24.10.2016. Thereafter, the petitioner has not surrendered to the jurisdiction of the Court and has misused the process of the Court. This Court is not inclined to go into compromise, if any, reached between the parties as the petitioner has successfully evaded the process of the Court. Considering the nature of allegations; the injuries caused; statement of the complainant, if any, *prima facie* lacks *bona fide*, no case for grant of anticipatory bail is made out. It appears that the complainant has been either pressurised or purchased by the petitioner.

Moreover, this Court feels that it is a fit case where custodial interrogation of the petitioner is required to unearth the truth.

Consequently, the present petition stands dismissed.

State is directed to arrest the petitioner forthwith and produce before the Court.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

21.03.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No