

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

CRM-M-8784-2018 (O&M)
Date of decision: March 01, 2018

Jaswant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sumeet Singh Arora, Advocate for the petitioner.

Rajan Gupta, J.

This is a second petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 308, 379-B, 148, 149 IPC, later on Section 308 IPC was deleted and Sections 307 & 326 IPC were added, at Police Station Haibowal, District Ludhiana, vide FIR No.126 dated 09.08.2017.

Petitioner had earlier approached this court by way of CRM-M-706 of 2018, alongwith co-accused Gurmeet Singh. On February 22, 2018, said petition was withdrawn in respect of petitioner Jaswant Singh with liberty to surrender before the investigating agency and thereafter, move an application for regular bail. However, Gurmeet Singh, who was arrayed as petitioner No.2 in the said case, was granted the concession of pre-arrest bail.

Learned counsel for the petitioner submits that petitioner has no role to play in the commission of crime and thus, he is entitled to concession

of pre-arrest bail.

Allegations in the FIR are that petitioner inflicted injuries by *Kirpan* to brother of the complainant. Learned counsel for the petitioner has not been able to show how this second petition for pre-arrest bail is maintainable, particularly when there is no change of circumstance. It has not been clarified as to why the petitioner did not surrender before the investigating agency as stated before this court on February 22, 2018, when CRM-M-706 of 2018 was withdrawn in respect of the petitioner.

Under the circumstances, I am of the considered view that the present petition is totally frivolous. The petitioner after having withdrawn the earlier petition with liberty to surrender before the investigating agency and seek regular bail, has again sought pre-arrest bail from this court without assigning any reason. This apart, the FIR was registered on 09.08.2017 and the petitioner has evaded the process of law for almost seven months.

I am, thus, of the considered view that the present petition deserves to be dismissed with exemplary costs. Thus, while dismissing the present petition, the petitioner is burdened with Rs.30,000/- as costs. The amount be remitted to Punjab Legal Services Authority.

(RAJAN GUPTA)
JUDGE

March 01, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No