

Crl. Misc. No. M-11760 of 2019

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-11760 of 2019

DATE OF DECISION:25.03.2019

Rajdeep Sandhu

.....Petitioner

Versus

State of Punjab and others

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Gurcharan Dass, Advocate
for the petitioner.

DAYA CHAUDHARY, J.

This is the second petition filed under Section 438 Cr.P.C. for grant of anticipatory bail to petitioner-Rajdeep Sandhu in case FIR No. 334 dated 8.12.2016 registered under Sections 307,148,149 IPC, 25 and 27 of the Arms Act, 1959 at Police Station Jodhewal, Ludhiana.

Earlier petition filed by the petitioner for grant of anticipatory bail was dismissed on 20.7.2017. Subsequently the petition for quashing of the FIR on the basis of compromise was filed but the same was dismissed as withdrawn as one of the party to the compromise did not appear before the trial Court for recording of his statement on 12.10.2018.

Learned counsel for the petitioner submits that the compromise was there with all except one who did not appear before the trial Court for recording of his statement.

Heard the arguments advanced by learned counsel for the petitioner and have also gone through the contents of the FIR and other documents available on the file.

Admittedly, earlier petition for grant of anticipatory bail was dismissed as withdrawn and subsequent petition filed for quashing of the FIR on the basis of compromise was also dismissed as withdrawn on 12.10.2018 (Annexure P-7). No doubt, there is no compromise as on today and even the FIR cannot be quashed on the basis of compromise in an offence under Section 307 IPC. There is no changed circumstances for filing the second petition.

Accordingly, keeping in view the nature of offence and the fact that the present petition has been filed under changed circumstances, which does not exist as on today, the present petition is hereby dismissed

March 25, 2019
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes