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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-33434-2019

Date of Decision: 22.11.2019

**Gagandeep Singh @ Kali and another**

**.. Petitioners**

**Vs.**

**State of Punjab and another**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Vikas Gupta, Advocate for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. D.S. Gandhi, Advocate for the complainant.

...

**Manoj Bajaj, J.**

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in a case FIR No.30 dated 14.02.2016, under Sections 307/452/324/323/427/506/148/149 IPC, registered at P.S. City Tarn Taran, District Tarn Taran.

The FIR in the present case was registered on the statement of complainant Jagpreet Singh, wherein it was stated that on 13.02.2016 at about 7:30 P.M., when he along with his servant Gurmeet Singh was present at his shop, then Roshan Singh, Gurpreet Singh @ Gopi, Gagandeep Singh @ Kali along with 2-3 unidentified persons came inside his shop and Gurpreet Singh @ Gopi raised lalkara to teach a lesson to complainant Jagpreet Singh for helping Amrit Singh and thereafter, Gurpreet Singh @ Gopi gave baseball bat blow on the middle finger of right hand and left foot and Gagandeep Singh @ Kali gave daang blow on the right knee, backside of head and on the back of the complainant. Other accused also gave

injuries with their respective weapons and when the complainant raised hue and cry, then all these persons ran away from the spot along with their respective weapons.

Learned counsel for the petitioners has argued that the parties have settled the matter and they have arrived at a compromise. He submits that a separate petition based on the compromise for quashing of the FIR is also pending before this Court, however, it is not disputed by him that the petitioners were specifically named in the FIR and were attributed specific roles.

On the other hand, learned State counsel assisted by SI Puran Singh has opposed the prayer. A separate reply by way of an affidavit of Sucha Singh, PPS, Deputy Superintendent of Police, Sub Division Tarn Taran, District Tarn Taran dated 30.09.2019, on behalf of respondent-State has been filed to contest the petition that a separate FIR No.301 dated 18.09.2019 under Section 174-A IPC (Annexure R-1/T) has also been registered at Police Station Sadar Tarn Taran against the petitioners. It is also mentioned that the petitioners have been declared proclaimed offenders vide order dated 17.07.2019 (Annexure R-2/T) passed by the Id. CJM, Tarn Taran.

After hearing learned counsel for the parties, this Court is of the opinion that in view of the nature of the offences, the compromise relied upon by the petitioners is meaningless. It may be added here that the occurrence took place in the year 2016, whereupon the FIR was registered on 14.02.2016 and the application for grant of pre arrest bail was filed before the Additional Sessions Judge, Tarn Taran on 09.05.2019. It is clear that the petitioners, who were declared proclaimed offenders before the

filing of the anticipatory bail application never associated themselves with the investigation.

In view of the facts and circumstances of this case, this Court does not find it a fit case for grant of extraordinary concession of pre arrest bail to the petitioners.

The petition is dismissed.

22.11.2019  
*Jasmine Kaur*

(MANOJ BAJAJ)  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |