

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

212

CRM-M-10167-2022 (O&M)

Date of Decision: 19.05.2022

HARPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vipul Babuta, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through the instant petition, the petitioner seeks anticipatory bail in case bearing FIR No.53 dated 24.06.2014, registered under Sections 307, 323, 324, 326, 341, 506, 148 and 149 IPC, at Police Station Dugri, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that vide order dated 24.01.2017 passed by a Coordinate Bench, the quashing petition filed by the petitioner was ordered to be dismissed as withdrawn and a direction was issued to the learned trial Court to decide the bail application of the petitioner, expeditiously; that, post investigation, the petitioner was kept in column No.2 in the Challan; that the petitioner was declared as a proclaimed offender on 18.08.2015; that the petitioner preferred a revision against the order dated 18.08.2015, which was allowed on 17.04.2017 and the order dated 18.08.2015 was set aside and that, since, the complainant had not supported the prosecution version and turned hostile, vide order dated 27.07.2018, co-accused, namely,

Deepak Puri was acquitted, whereas other three co-accused, namely, Chahat Puri, Paramjit Singh @ Pamma, Sheru and Rohit Kaura, were convicted.

Per contra, while opposing the prayer for grant of anticipatory bail to the petitioner, learned State counsel submits that the FIR was registered way back on 24.06.2014 and that the petitioner has been declared as a proclaimed offender on 18.08.2015. He further submits that, though, the order dated 18.08.2015 was set aside by the learned Appellate Court on 17.04.2017, yet the fact remains that from 17.04.2017 till the year 2022, the petitioner did not make any effort to appear before the learned trial Court.

I have heard the learned counsel for the parties.

Admittedly, the order dated 18.08.2015 declaring the petitioner proclaimed offender, was set aside by the learned Appellate Court on 17.04.2017. Despite that the petitioner did not make any effort to appear before the learned trial Court for a period of about 4-5 years. Merely because the complainant has turned hostile, is no ground to grant the concession of anticipatory bail to the petitioner. Moreso, when the petitioner remained absent for a considerable long period.

In view of the above, no ground is made out to grant the concession of anticipatory bail to the petitioner.

Dismissed.

19.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*