

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-14128 of 2022

Date of decision: 4th April, 2022

Gurinderpal Singh @ Sonu

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.
Mr. Amit Mehta, Senior DAG, Punjab.
Mr. Vipin Mahajan, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

The petitioner is before this Court seeking anticipatory bail in FIR No. 73 dated 17.7.2021, under Sections 323, 324, 148 and 149 IPC (Sections 325, 326 and 307 IPC added later on), registered at Police Station Kalanaur, District Gurdaspur.

The petitioner was granted anticipatory bail by the Sessions Court on 12.10.2021. On addition of Section 307 IPC, a prayer was made for grant of pre-arrest bail, the same was rejected by the impugned order.

One of the issue arising in the present petition is as to whether there is any apprehension of arrest to the petitioner by invoking of Section 307 IPC.

In FIR No. 73, the petitioner has been granted pre-arrest bail.

As per decision of the Supreme Court in Pradeep Ram v. State of

Jharkhand and another, 2019 (7) JT 155, when accused is on bail and is to be arrested, permission of the court is required.

In view of the above stated facts and the law laid down, there cannot be an apprehension of arrest at this stage, the State will have to follow the due procedure as per judgment of the supreme Court in Pradeep Ram's case (supra).

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

4th April, 2022
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |