

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.101

CRM-M-2063-2023 (O&M)
Date of decision : 16.01.2023

Sagar

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. N.S. Sidhu, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.78 dated 5.6.2022, registered at Police Station, Moonak, District Sangrur, under Sections 302, 148, 149 IPC.

According to the First Information Report, the petitioner was a member of an unlawful assembly which attacked the deceased with various weapons. The petitioner was alleged to have been armed with a gandasa and gave two blows to the deceased with the reverse thereof on the leg and head.

Learned counsel for the petitioner has submitted that challan has been presented, wherein, the petitioner has been kept in column No.2. In this view of the matter, he may be granted anticipatory bail.

The argument cannot be accepted because a perusal of the order passed by the Additional Sessions Judge, Sangrur shows that challan against the petitioner was not presented because he could not be arrested. All the other accused have been arrested and challan has been presented against them. A supplementary challan would be filed once the petitioner is arrested.

The petitioner is alleged to have committed a heinous offence and has been evading arrest, since, the date of the registration of the FIR. Thus, he is not entitled to grant of discretionary relief.

The petition is, accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

16.01.2023
Ramandeep Singh

Whether speaking / reasoned	Yes / No
Whether Reportable	Yes/ No