



109

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

**CRM-M-23667-2024 (O&M)
Date of decision : 13.05.2024**

Lakhwinder @ Lucky

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sudhir Rana, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.379 dated 24.05.2019, under Sections 201, 324, 326, 307, 341 & 435 read with Section 34 (Sections 506, 201, 326 & 307 read with Section 34 were added subsequently) of the Indian Penal Code, 1860; registered at Police Station Assandh, District Karnal.

2. Allegations are that petitioner along with other co-accused attacked the husband of complainant and caused injuries with sharp-edged weapons with an intention to kill.

3. Contends that petitioner was neither named in the FIR; nor any role has been attributed to him. Also submits that petitioner was found innocent during investigation by the Police. Further contends that petitioner is ready to join the proceedings, but he be protected.



4. Although, there is no formal notice of motion in this case, but learned State counsel, on instructions, has apprised the Court that in the first instance, petitioner approached the Court of Session and he was granted interim protection on 19.04.2024. However, instead of joining the investigation, petitioner evaded the process of law, resulting into dismissal of his bail application.
5. Heard learned counsel for the parties and perused the paper-book.
6. It is not in dispute that petitioner was granted interim protection by learned Sessions Court on 19.04.2024; but instead of joining the investigation, he evaded the process of law; therefore, this Court is not inclined to accept the prayer for pre-arrest bail and as such, the petition is dismissed.
7. However, in case petitioner surrenders before the Court of competent jurisdiction within 01 week from today and files application for grant of bail, same be considered and decided expeditiously, in accordance with law.
8. The observations made above be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Pending application(s), if any, shall also stand disposed off.

13.05.2024

Atulsethi/v

Whether speaking / reasoned :
Whether Reportable :

(MAHABIR SINGH SINDHU)
JUDGE

Yes	No
Yes	No