

CRM-M-12286-2015

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

CRM-M-12286-2015

Date of Decision: 27.04.2015

Kewal Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. Kanwarjit Singh, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

This is second petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner, declared proclaimed offender by the Court of Sh. L.K.Singla, Additional Sessions Judge, Kapurthala, on 29.07.2013, in FIR No.284 dated 30.10.1985, registered at Police Station Sultanpur Lodhi, District Kapurthala, under Sections 326/324/323/148/149 of the Indian Penal Code.

I have heard learned counsel for the petitioner and perused the record.

Admittedly, the petitioner has been declared proclaimed offender. In view of law laid down by the Hon'ble Supreme Court in

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State of Madhya Pradesh vs. Pradeep Sharma 2014(1) RCR (Criminal) 269, a proclaimed offender is not entitled for anticipatory bail without submitting to the process of law.

At this stage, learned counsel for the petitioner submits that the petitioner is in Canada and is ready to join the process of law. Learned counsel further submits that the petitioner shall reach India during the period from 10.05.2015 to 17.05.2015 and will submit to the process of Court/investigating agency. He may be granted protection from arrest on his arrival in India enabling him to take appropriate steps to surrender to the legal process or avail remedy in accordance with law.

In view of above, instant petition is disposed of with a direction that in case the petitioner comes to India during the period from 10.05.2015 to 17.05.2015, he shall not be arrested during the aforesaid period enabling him to avail the remedies in accordance with law.

27.04.2015
parveen kumar

(Paramjeet Singh)
Judge