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

**CRM-M-19020 of 2015
Date of decision : 09.07.2015**

Tejinderpreet Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

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

DARSHAN SINGH,J(Oral)

The present petition has been filed under Section 438 Cr.P.C for grant of the anticipatory bail to the petitioner pending trial in case FIR No. 2 dated 02.01.2014, under Sections 279, 337, 338, 427 IPC, registered at Police Station Sarabha Nagar, Ludhiana.

Learned counsel for the petitioner pleaded that the petitioner could not appear before the trial Court as he had gone abroad and was declared as proclaimed offender. He contended that all the offences are bailable. The compromise has also taken place between the parties. So, the petitioner should be granted the concession of the anticipatory bail as he wants to appear before the trial Court to join the trial.

As per the admitted facts, the petitioner was enlarged on bail during pendency of the case, he went abroad and was declared as

proclaimed offender on 12.07.2006. It means that the petitioner has absconded from the trial and ultimately was declared as proclaimed offender. The Hon'ble Supreme Court in case **Lavesh Vs. State (NCT of Delhi) 2012(4) RCR (Criminal) 240** has laid down that where a person had absconded and has been declared as proclaimed offender, he is not entitled to the anticipatory bail.

In view of the aforesaid ratio of law, the petitioner is not entitled for the extra ordinary privilege of the anticipatory bail.

Thus, the present petition is hereby dismissed.

09.07.2015
s.khan

(DARSHAN SINGH)
JUDGE