

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

CRM No.M-35335 of 2015 (O&M)

Date of decision: 03.12.2015

Kamruddin @ Tundal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Pulkit Dagar, Advocate for
Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana
assisted by HC Jeet Ram.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought pre-arrest bail in case FIR No.33, dated 01.02.2014, registered under Sections 363, 366-A, 376D IPC and Section 4/14 of POCSO Act, at Police Station Punhana, District Mewat.

It is contended that the prosecutrix had love affair with the brother of the petitioner, namely Nasru. He refers to the statement of the prosecutrix, Annexure P-2, wherein she has stated that nobody has taken her forcibly and she has performed marriage with Nasru with her own sweet will. He further states that in pursuance of the order dated 14.10.2015, the petitioner has joined the investigation.

On the other hand, the learned State counsel opposes the prayer of bail and states that the petitioner has been evading his arrest and

declared as proclaimed offender on 04.07.2014.

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

Keeping in view the fact that the petitioner has been declared as proclaimed offender and his role in the commission of crime, this Court feels that no case for grant of pre-arrest bail is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

03.12.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE