

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

CRM No.M-40679 of 2015 (O&M)

Date of decision: 07.12.2015

Bhag Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

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.248, dated 10.11.2011, registered under Section 135 of Electricity Act, at Police Station Anti Power Theft, PSPCL, Patiala.

It is contended that the petitioner was granted the concession of anticipatory bail in this case and he was regularly attending the court proceedings. He could not appear on 26.08.2015 on account of wrong noting of date by him. The trial Court has issued non-bailable warrants against the petitioner without any cogent reasons. The absence of the petitioner on the relevant date was stated to be *bona fide* and not intentional.

On the other hand, the learned State counsel opposes the

prayer of bail and states that the petitioner has been evading his arrest.

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

The bail application of the petitioner was dismissed on 07.10.2015 by the trial Court, however instead of surrendering, he approached this Court for pre-arrest bail after two months. Keeping in view the fact that the petitioner has been evading his arrest and misused the concession of bail, 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.

07.12.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE