

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

1) **Crl.Misc.No.M-7751 of 2015**

Nirpal Singh

....Petitioner

Versus

State of Punjab

...Respondent

2) **Crl.Misc.No.M-8014 of 2015**

Nirpal Singh @ Kirpal Singh

....Petitioner

Versus

State of Punjab

...Respondent

**Date of decision : 13.3.2015**

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr. Joginder Pal Rattrra, Advocate  
for the petitioner in both the petitions.

**MAHESH GROVER, J.**

The petitioner has been declared to be a proclaimed offender. By virtue of CRM-M-7751 of 2015 he prays for grant of pre-arrest bail and in the other petition bearing No.CRM-M-8014 of 2015 the prayer made is for setting aside the order dated 11.8.2012 passed by the JMIC, Rajpura declaring him to be a proclaimed offender in case FIR No.30 dated 26.5.2011 under Sections 307,392, 353, 186, 332, 334, 34 IPC registered at PS Kheri Gandian, District Patiala.

The allegations levelled in the FIR reveal that the petitioner had caught hold of a police official who had gone to execute the arrest warrant of Mangal Singh. The said officer was beaten and his wallet etc. snatched. In this backdrop, learned counsel for the petitioner contends that brother of the petitioner who was facing similar allegations has been declared innocent and he also was laboring under the impression that he had been treated similarly. He further contends that the petitioner was living in Chhatisgarh and now he is willing to submit himself to the jurisdiction of the learned trial court.

After hearing the learned counsel for the petitioner, I am of the considered view that there is no cause to exercise the jurisdiction under Section 438 Cr.P.C. in favour of a person who is alleged to have assaulted a police officer during the discharge of his duties and further is a proclaimed offender. In any eventuality, since the petitioner has expressed his willingness to submit himself to the jurisdiction of the learned trial Court, both these petitions are disposed of with a direction that the petitioner will surrender himself to the jurisdiction of the learned trial Court on or before 20.3.2015 and in case he does so and makes a prayer for regular bail, the same shall be considered by the trial court in the circumstances of the case and the same shall be disposed of in accordance with law as expeditiously as possible but not later

than three days from the date of filing of such application.

13.3.2015  
*dss*

(MAHESH GROVER)  
JUDGE