

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

**CRM No.M-10788 of 2016 (O&M)
Date of decision : 31.03.2016**

Harsimran Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Sanjay Majithia, Senior Advocate with
Mr. Jatinder Kumar, Advocate and
Mr. Inderjit Singh, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.171 dated 12.08.2012, under Sections 307/324/148/149 IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Lapoke, District Amritsar.

Learned Senior counsel would vehemently contend that it is a case of version and cross-version and it is the complainant party which was in fact the aggressor party. In support of such contention, even the inquiry findings recorded by the Investigating Agency have been adverted to. It is further contended that there is no recovery which is to be effected from the present petitioner.

Be that as it may, it has gone uncontroverted that the present petitioner as also his father, Nirmal Singh were declared as proclaimed offenders vide order dated 23.11.2013 passed by the competent Court. Concededly, father of the petitioner Nirmal Singh had even assailed the order declaring him as a proclaimed offender and such challenge was not accepted by this Court.

It is a case where this Court would not be required to go into the merits of the case.

The petitioner having evaded the process of law and having been declared a proclaimed offender has dis-entitled himself from the concession of pre-arrest bail. A reference in this regard may be made to the judgments of the Hon'ble Supreme Court in ***Lovesh Versus State (NCT of Delhi), 2012 (4) RCR (Criminal) 240 and State of Madhya Pradesh Versus Pradeep Sharma, 2014 (1) RCR (Criminal) 269.***

Petition is, accordingly, dismissed.

31.03.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**