

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

CRM-M No.14994 of 2016 (O&M)

Date of Decision: 03.05.2016

Sunil @ Cheeku

..... Petitioner

Vs.

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Jangvir S. Hooda, Advocate for the petitioner.

JASWANT SINGH, J. (Oral)

The petitioner/accused-Sunil @ Cheeku has filed the present petition under Section 482 Cr.P.C. seeking quashing of the order dated 16.03.2015 (**Annexure P-1**), passed by learned Sub Divisional Judicial Magistrate, Hodal, whereby he has been declared a proclaimed offender in case FIR No.392 dated 30.07.2014, under Sections 148, 302, 201, 435 read with Section 149 of the Indian Penal Code and Sections 25/54/59 of the Arms Act, registered with Police Station Hodal, District Palwal.

Learned Counsel for the petitioner heard at length.

It is claimed that after completion of the investigations, the petitioner was neither arrested nor put in Column No.2, he was, however, summoned as an additional accused.

The order (**P-1**) is being challenged after more than one year and in between concededly, the prayer of the petitioner for grant of anticipatory bail was declined by learned Additional Sessions Judge, Palwal, vide order

dated 03.09.2015 (**Annexure P-2**) and finally by this Court vide order dated 15.03.2016 (**Annexure P-7**). Once, the petitioner is a proclaimed offender and his petition for anticipatory bail stood dismissed on merits, the same issues/arguments cannot be permitted to be raised in laying a belated challenge to the order dated 16.03.2015 (**P-1**). In the garb of challenge to the order (**P-1**), the petitioner is indirectly seeking pre-arrest bail, which already stands declined. Thus, this petition is not maintainable and resultantly, does not warrant any interference.

In view of the above, the present petition stands dismissed.

May 03, 2016
Gagan

(JASWANT SINGH)
JUDGE