

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

Sr. No.101

**CRM NO. M-21507 OF 2016
DECIDED ON: July 25, 2016**

GAURAV SHARMA @ GAURAV RAI

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. T.S. Sidhu, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

This is a third petition preferred under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No. 42, dated April 03, 2014, under Sections 420 & 120-B IPC, Police Division No.2, Pathankot.

Notice of motion.

At the asking of the Court, Mr. Sidakmeet Singh Sandhu, AAG, Punjab accepts notice on behalf of the respondent-State of Punjab. Copy of the petition be supplied to learned State counsel during the course of day.

It is an undisputed fact that earlier the petitioner has preferred two different petitions, but the same were withdrawn and now instant petition is third one.

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It is also an undisputed fact that petitioner has been declared proclaimed person by learned Judicial Magistrate 1st Class, Pathankot vide order dated August 27, 2014 and since then he is evading his arrest. It is well settled that if a person has been declared proclaimed person, he is not entitled to pre-arrest bail.

However, taking into consideration the facts and circumstances contained in the instant petition, same is disposed of with the direction to petitioner to surrender before the concerned Court and his application for pre-arrest bail shall be dealt with and disposed of by the concerned Court within a period of 7 days.

With the aforesaid direction, instant petition stands disposed of.

July 25, 2016
Ankur

(JASPAL SINGH)
JUDGE