

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

**C.R.M-M No.24738 of 2016
Date of Decision : 23.07.2016**

Rajinder

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.K. Verma, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.330 dated 29.10.2010 registered under Section 427 IPC and Section 3 of the Explosives Substances Act, 1908, at P.S. Safidon, District Jind.

Apart from the merits what appears from the record is that the petitioner was declared as a proclaimed offender and the Additional Sessions Judge, Jind declined his plea for anticipatory bail on the strength of the decision of the Supreme Court in the case of *Lavesh vs. State (NCT of Delhi)*, 2012(4) R.C.R. (Criminal) 240 in which their Lordships have reiterated that a person against whom there is an order of proclamation would not be entitled for anticipatory bail. Having been confronted by this,

the learned counsel for the petitioner states that he does not wish to press this petition on merits but liberty may be granted to the petitioner to surrender before the trial Court and move an application for regular bail and the trial Court be directed to decide the same expeditiously since in this interregnum those of the accused who had been tried were acquitted due to lack of evidence.

I find it to be a fair request. Resultantly, even while dismissing this petition it is directed that in case the petitioner surrenders before the trial Court on 28.07.2016 and moves an application for regular bail, the same shall be decided by the next date i.e. 29.07.2016.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

July 23, 2016

ashish

**(AJAY TEWARI)
JUDGE**