

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

**CRM-M-34902-2016
Date of decision-30.09.2016**

**Harvinder Singh @ Kaka
Vs.
State of Punjab and another**

**...Petitioner

...Respondents**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Mohit Sadana, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail in FIR No.72 dated 30.04.2012 registered under Sections 307, 324, 323, 341 and 148 read with Section 149 of the Indian Penal Code at Police Station Adampur, District Jalandhar.

Learned counsel contends that the co-accused of the petitioner have been acquitted vide order and judgement dated 29.01.2016.

Heard.

The fact remains that the allegations against the petitioner and other co-accused being distinct, the Court is not inclined to entertain this petition. The petitioner has now been declared proclaimed offender.

In **State of M.P Vs. Pradeep Sharma 2014 (1) RCR (Crl) 269**, it has been held that an accused who is declared absconder/proclaimed offender and is not cooperating with the investigation should not be granted anticipatory bail.

Therefore, the Court is not inclined to grant the discretionary relief of anticipatory bail to the petitioner.

However, considering the background of the petitioner it is ordered that in case the petitioner surrenders before the trial Court within a week from today, the bail application will be decided expeditiously.

Petition stands dismissed.

(JITENDRA CHAUHAN)
JUDGE

September 30, 2016
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No