

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

**CRM-M-35649-2016
Date of decision-06.10.2016**

**Pavitter Singh
Vs.
State of Punjab**

**...Petitioner

...Respondent**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Satbir Gill, 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.92 dated 16.12.2011 (Annexure P-1) registered under Sections 302, 120-B and 148 read with Section 149 of the Indian Penal Code (in short 'IPC') and Sections 25 and 27 of Arms Act at Police Station Verowal, District Tarn Taran.

Learned counsel contends that during the investigation no incriminating evidence was collected against the petitioner. There is delay of 11 days in lodging the FIR. Though the petitioner is named in the FIR but no specific role has been attributed to him. He further submits that all other co-accused have been acquitted of the charges.

Heard.

The petitioner was declared proclaimed offender on 30.10.2012 and since then he has not surrendered to the process of the Court. In the circumstances, as the petitioner was declared proclaimed offender way back in the year 2012 and has approached this Court only after the acquittal of the co-accused, the conduct of the petitioner does not entitle him to grant of

relief sought.

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.

No case for anticipatory bail to proclaimed offender is made out.

However, in view of the fact that co-accused stand acquitted of the charges, it is ordered that in case the petitioner surrenders before the competent Court within a week from today, the bail application will be decided expeditiously.

Petition stands dismissed.

(JITENDRA CHAUHAN)
JUDGE

October 06, 2016

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