

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

**CRM No.M-37768 of 2016 (O&M)
Date of Decision: November 21, 2016**

Gurdev Singh through his GPA Balbir Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Shamsher Singh Gill, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. against respondent State of Punjab, for quashing of order dated 04.01.2016 passed by learned Sub Divisional Judicial Magistrate, Payal, whereby the petitioner has been declared as proclaimed person.

At the time of arguments, learned counsel for the petitioner argued that petitioner was granted anticipatory bail by this Court, therefore, he cannot be declared as proclaimed person.

I have heard learned counsel for the petitioner and have gone through the record.

The perusal of the record shows that petitioner has been granted anticipatory bail on 28.02.2014 and he was declared proclaimed person vide order dated 04.01.2016. It is argued by learned counsel for the petitioner

that as the petitioner has gone to abroad, therefore, he has not been

personally served. Learned counsel for the petitioner admitted at the time of arguments that after getting anticipatory bail, the petitioner has gone abroad without information of the Court or without getting any permission from the Court to visit abroad. No other point has been argued by learned counsel for the petitioner.

Keeping in view the above facts that petitioner himself has misused the benefit of anticipatory bail and he was knowing fully that the case is pending against him and investigation is going on, he left the country without permission of the Court. He intentionally avoided the process of law and he has been rightly declared as proclaimed person by learned SDJM, Payal. No illegality has been committed while passing the impugned order dated 04.01.2016 by learned SDJM, Payal.

Therefore, finding no merit in the present petition, the same is dismissed.

November 21, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No