

CRM-M No. 40916 of 2016

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

CRM-M No. 40916 of 2016
Date of decision : November 28, 2016

Lovepreet alias Lovi

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ashok Giri, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG Haryana

Mr. DS Virk, Advocate
for the complainant.

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.134, dated 27.2.2016, registered under Sections 302, 307, 148, 149, 120-B of the IPC and Sections 25, 27, 54, 59 of the Arms Act, at Police Station City Sirsa.

At the very outset, learned Addl. AG Haryana, on

Instructions from SI Wazir Singh, states that the application for

anticipatory bail filed by the petitioner was dismissed by the Sessions Court on 2.5.2016 and before the filing of the present petition, the petitioner had been declared as proclaimed offender by order dated 28.10.2016.

Counsel for the petitioner is not in a position to deny this fact.

In view of the decision of the Supreme Court in State of Madhya Pradesh v. Pradeep Sharma 2014(1) RCR (Criminal) 269 wherein it has been held that an application for anticipatory bail does not lie at the instance of a person against whom declaration has been made under Section 82 of the Cr.P.C, this petition is dismissed.

November 28, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No