

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

CRM No.M-11548 of 2017 (O&M)

Date of Decision: July 28, 2017

Sukhwinder Kumar @ Binda

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sandeep Sharma, Advocate
for the petitioner.

INDERJIT SINGH, J.

CRM No.22891 of 2017

The application is allowed, subject to all just exceptions.

Annexure P-7 is taken on record.

CRM No.M-11548 of 2017

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.145 dated 26.10.2005 under Sections 452, 323, 324, 506, 148, 149 and 427 IPC (Sections 326 and 307 IPC added later on), registered at Police Station Goraya, District Jalandhar.

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

From the record, I find that present petitioner absented from the Court proceedings and then he was declared proclaimed offender. The FIR

was registered in the year 2005 and the accused-petitioner did not appear

before the Illaqa Magistrate on 22.08.2006. Now after about 11 years, the petitioner has approached this Court for grant of anticipatory bail.

Learned counsel for the petitioner argued that the order declaring the petitioner as proclaimed offender is not as per law. Even if it is taken that order declaring the petitioner as proclaimed offender is not as per law, even then, the petitioner is to explain the long delay of 11 years as to why he did not appear before the Court.

Keeping in view the facts and circumstances of the present case, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

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

July 28, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No