
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.101

CRM No.M-19724 of 2017
DECIDED ON: May 31, 2017

BHAG SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. M.D. Khan, Advocate,
for the petitioner.

JASPAL SINGH, J.

This is a third petition preferred under Section 438 Cr.P.C., petitioner-Bhag Singh has sought pre-arrest bail, feeling apprehension of his arrest in case bearing FIR No.07, dated January 19, 2010, under Sections 452, 323, 324, 506, 148 & 149 IPC, registered at Police Station Ghanie Ke Bangar, District Gurdaspur.

2. Undisputably, the present petitioner and his co-accused earlier filed a petition under Section 438 Cr.P.C. which was dismissed as

withdrawn vide order dated March 05, 2010 passed in CRM No. M-6458 of 2010 with the following observation as under:-

“This petition has been filed under Section 438 Cr.P.C. for grant of bail to the petitioners in case FIR No. 7 dated January 19, 2010 under Sections 452, 324, 323, 326, 506, 148 and 149 IPC registered with Police Station Ghanie Ke Bangar, District Batala. Learned counsel want to withdraw the petition while contending that the petitioners would like to surrender and join investigation in accordance with law. Dismissed as withdrawn. In case the petitioners surrender within seven days from today and after police remand period (if any), if the petitioners apply for regular bail, the bail Court shall dispose of the application within a period of four working days”

3. Thereafter, petitioner-Bhag Singh moved another petition under Section 438 Cr.P.C. bearing CRM No.M-22904 of 2016 which was dismissed on merits by this court vide order dated July 13, 2016. Now, the third petition has been moved by the petitioner on the similar allegations. There is no change what to talk of any substantial change in the facts situation after the dismissal of previous petition by this court vide order dated July 13, 2016. Even otherwise, while disposing of first petition bearing CRM No. M-6458 of 2010, the petitioner opted to surrender and join the investigation before the trial court and the concerned court was directed to dispose of the regular bail application within a period of four working days. But he misused the said concession and did not comply with the order. Neither he surrendered before the police/court nor applied for regular bail. Similarly, he neither cooperated with police as well as the

court nor he joined the proceedings. He also could not be arrested by the police till date. He is proclaimed offender and evading his arrest. Such a person do not deserve the concession of pre-arrest bail.

4. Dismissed.

May 31, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No