

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

**CRM-M-35706-2017
Date of decision :12.10.2017**

Lachhman Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr. Sanjeev Roy, Advocate
for the petitioner.

H.S. MADAAN, J. (Oral)

This petition for pre-arrest bail has been filed by Lachhman Singh an accused in complaint case titled as Sarvotam Leasing and Real Estate vs. Lachman Singh, who was summoned to appear in that case. He had put in appearance, subsequently he stopped appearance in the Court resultantly his bonds were cancelled and forfeited to the State. He did not put in appearance despite publication of proclamation under Section 82 Cr.P.C. against him, he was declared a proclaimed offender (should be proclaimed person). He had filed an application for pre-arrest bail in the Court of Sessions, same was dismissed now he has approached this Court asking for the same relief.

Keeping in view the facts and circumstances of the case and ratio of authority ***Lavesh vs. State (NCT of Delhi) 2012(4) RCR (Criminal) 240*** wherein it was observed that *when a person against whom a warrant had been issued had absconding or concealing himself in order to avoid execution of warrant and declared as a proclaimed offender in term of Section 82 of the Code is not entitled the relief of anticipatory bail.* Therefore, the petition is doomed for failure and is dismissed accordingly.

However, it is observed in case the petitioner surrendered in the trial Court within 7 days from today and moves an application for regular bail the same be decided within 10 days thereof.

12.10.2017

Gaurav Sorot

**(H.S. MADAN)
JUDGE**

1. Whether reportable? **No / Yes**
2. Whether speaking / reasoned? **No / Yes**