

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

CRM-M No.22313 of 2018

Date of Decision: 05.07.2018

Amrit Pal Singh @ Amba

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. D.K. Bhatti, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.28 dated 10.04.2016 registered under Sections 399 and 402 IPC read with Sections 25/54/59 of the Arms Act at Police Station Lohian, District Jalandhar.

A further prayer has also been made by the petitioner for releasing him on ad-interim bail during pendency of the petition.

The case, in hand, was listed for hearing on 24.05.2018 and the following order was passed :-

“Counsel for the petitioner submits that the petitioner could not appear before the trial Court on the date fixed for the reason that he was arrested in some other case and it is after the release that he approached the learned Additional Sessions Judge, Jalandhar, for grant of anticipatory bail, which has been rejected. He prays for an adjournment to file an affidavit/documentary evidence to substantiate his contention with regard to his arrest in some other case.”

Thereafter, on request, the case was adjourned to 31.05.2018 as

the necessary information was not supplied to learned counsel for the petitioner.

Learned counsel for the petitioner submits that some other cases are also pending against the petitioner. In some of the cases, he has been acquitted and in some of the cases, he is on bail but the details of all the cases are not there with him. Learned counsel further submits that the affidavit could not be filed in pursuance of order dated 24.05.2018.

Though the details of the cases, where the petitioner is on bail and in which he has been acquitted are not with learned counsel for the petitioner and in absence of that information, no anticipatory bail can be granted to the petitioner.

However, the petitioner has been declared as a proclaimed offender and is not entitled for anticipatory bail as the FIR is of dated 10.04.2016, in case, he surrenders before the trial Court within a period of two weeks from the date of receipt of certified copy of the order and moves an application for regular bail, the trial Court is directed to consider his case and decide the same in accordance with law.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

05.07.2018
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No