

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

CRM-M-28395-2018

Date of decision:-10.7.2018

Jagdev Singh Dhindsa

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr.G.S. Punia, Senior Advocate with
Ms.Jagriti Kalia, Advocate
for the petitioner.

H.S. MADAAN, J.

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner – Jagdev Singh Dhindsa, an accused in FIR No.22 dated 14.3.2005, under Sections 120-B/494/420/495/506/406 and 498-A IPC, registered with Police Station Ahmadgarh, District Sangrur, who has been declared a proclaimed offender in that case. This fact has been pleaded in para No.5 of the petition.

Though it is submitted that the petitioner was out of India when his service was sought to be procured but then as has been observed by learned Additional Sessions Judge, Sangrur in order dated 23.2.2018 dismissing application for pre-arrest bail filed by the petitioner, he was in India at the time of registration of the FIR and had left abroad after about two months thereof and since his co-accused happened to be his family members, he cannot come up with a plea that he was not aware of the proceedings in the case.

In terms of the ratio of the authority **State of Madhya Pradesh**
Versus Pradeep Sharma, 2014(1) R.C.R.(Criminal) 269, when an accused had absconded and declared as a proclaimed offender in terms of Section 82

Cr.P.C., he is not entitled to pre arrest bail.

Thus the petition stands dismissed accordingly.

10.7.2018

Brij

(H.S.MADAAN)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No