

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

103

CRM-M-32888-2018

Date of Decision: August 02, 2018

Avninder Singh @ Mani

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Vikas Gupta, Advocate for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of anticipatory bail in FIR No.41, dated 18.03.2016, registered at Police Station City Kapurthala, District Kapurthala, under sections 379-B/411 IPC and section 22 of the NDPS Act, 1985.

As per the contents of the FIR, the police established a *Naka* on receipt of secret information in which name of the petitioner is also mentioned. A motorcycle was seen coming and was stopped at the *Naka*. The driver tried to turn his motorcycle and flee but was apprehended by the police. The petitioner, however, managed to run away.

Learned counsel for the petitioner submits that the FIR is dated 18.03.2016 and thereafter, neither the police raided his residence till the year 2018 nor any notice was issued/served upon him for joining investigation. The order by which the petitioner has been declared proclaimed offender has been passed without service of any notice upon him. The petitioner acquired knowledge of the FIR only when the police raided his house in the year 2018 and therefore, he approached the Court for grant of anticipatory bail.

The petitioner is specifically named in the FIR. Contraband as well as stolen articles were recovered from the co-accused. It is not disputed that the petitioner has been declared a proclaimed offender. Under these circumstances, I am unable to accept the submission made by learned counsel for the petitioner that the petitioner has been falsely implicated.

In view of the above, there is no merit in the present petition and the same is accordingly, dismissed.

August 02, 2018
sonia arora

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No