

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

CRM M-5445 of 2018.

Date of Decision: 15.03.2018.

Malkeet Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Navjot Singh, Advocate,
for the petitioners.

Ms. Sudeepti Sharma, Addl. AG, Punjab
assisted by ASI Balkar Singh.

Mr. Ruhani Chadha, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

This is second anticipatory bail application filed in case bearing FIR No.56 dated 07.07.2014 registered under Sections 419, 465, 467, 468, 471 and 120-B IPC at Police Station Dera Baba Nanak, District Gurdaspur.

The first bail application was dismissed as withdrawn vide order dated 23.09.2014. Learned counsel for the petitioners states that in the interregnum period, the parties have entered into compromise.

The Court is not impressed by the submission made by the learned counsel for the petitioners. The FIR in the instant case was registered on 07.07.2014. The bail application was dismissed on

23.09.2014. As per the record, the petitioners earlier were declared

proclaimed offender. The matter is being re-investigated again. As the petitioners have successfully evaded the process of the Court for a long period, the Court is not inclined to grant the concession of anticipatory bail to the petitioners. In *Lavesh vs. State (NCT of Delhi) (2012) 8 SCC 730* it was held as under:-

“In such serious offences, particularly, the respondents/accused being proclaimed offenders, we are unable to sustain the impugned orders of granting anticipatory bail. The High Court failed to appreciate that it is a settled position of law that where the accused has been declared as an absconder and has not cooperated with the investigation, he should not be granted anticipatory bail.”

In the circumstances, the Court feels that it is a fit case where custodial interrogation of the petitioners is required to unearth the truth.

Consequently, the present petition is dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

15.03.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

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