

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

**Criminal Misc. No. M-4453 of 2019
Date of decision: 31.01.2019**

Makhan Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Nitin Rampal, Advocate
for the petitioner.

Daya Chaudhary, J. (Oral)

Learned counsel for the petitioner submits that the petitioner was released on bail in view of provisions of Section 167(2) Cr.P.C. vide order dated 19.01.2016 and was appearing before the trial Court regularly. The petitioner could not appear only on one date i.e. 12.09.2016 due to noting down of wrong date. Thereafter, the petitioner was arrested in some other case under the Excise Act and subsequently, has been released on bail vide order dated 12.10.2017. The petitioner has been declared proclaimed offender in the present case vide order dated 30.05.2017 and his bail/surety bonds have been cancelled. The petitioner is ready to appear before the trial Court.

Since the petitioner has been declared proclaimed offender and order of declaring him proclaimed offender has not been challenged, he is not entitled for anticipatory bail.

However, the present petition is disposed of with a direction that in case, the petitioner surrenders before the trial Court within a period of one week from the date of receipt of certified copy of this order and moves an application for grant of regular bail, the trial Court is directed to consider and decide the same within a period of ten days thereafter in accordance with law.

Meanwhile, PO proceedings be kept in abeyance.

**31.01.2019
neetu**

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No