

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

CRM-M No. 7954 of 2019

Date of decision : 22.02.2019

Sunny

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Harjinder Singh, Advocate for
Mr. Avtar S. Khinda, Advocate for the petitioner.

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DAYA CHAUDHARY, J. (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.234 dated 11.09.2015 under Sections 323, 452, 365, 506, 148, 149 of the Indian Penal Code, 1860, registered at Police Station – Kapurthala City, Distt. Kapurthala.

Learned counsel for the petitioner submits that co-accused has already been released on anticipatory bail and the petitioner is ready to join investigation.

Heard arguments of learned counsel for the petitioner and have also perused the contents of the FIR as well as the order passed in case of co-accused Garib Dass.

The FIR is dated 11.09.2015. Admittedly, the petitioner is a proclaimed offender and as such, he cannot be released on anticipatory bail.

Moreover, the order passed in case of the co-accused is dated 05.08.2016.

Even the PO order has not been challenged by the petitioner.

Accordingly, the present petition being devoid of any merit is dismissed.

However, 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 application for regular bail, the trial Court is directed to consider the same and take necessary action in accordance with law within a period of two weeks thereafter.

22.02.2019

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No