

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-38461-2018

Date of Decision: 16.01.2019

Karambir @ Meenu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Deepak Aggarwal, Advocate,
for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.188 dated 16.03.2016 under Sections 376, 120-B, 506 IPC, registered at Police Station City Gohana, District Sonapat.

Vide order dated 05.09.2018, this Court while granting interim bail to the petitioner had passed the following order:-

“Learned counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner in case FIR No. 188 dated 16.03.2016 under Sections 376, 120-B, 506 IPC, registered at Police Station City Gohana, District Sonapat by arguing that the case as set up by the prosecutrix has not been believed in the judgment rendered by the Addl. Sessions Judge, Sonapat against the co-accused under the same FIR.

Notice of motion for 29.10.2018.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner has argued that the petitioner has joined the investigation, but during the course of arguments, he has pointed out that the petitioner has filed a separate petition bearing CRM-M-38557-2018 (Karambir @ Meenu Versus State of Punjab), seeking quashing of order dated 10.11.2016 passed by learned Sub-Divisional Judicial Magistrate, Gohana, whereby he was declared proclaimed person in the aforesaid FIR.

Having noticed the fact that the petitioner has already been declared proclaimed person on 10.11.2016, this Court finds that the present petition filed by the petitioner for anticipatory bail could not have been entertained.

Accordingly, the present petition is hereby dismissed.

January 16, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No