

Crl. Misc. No. M-41852 of 2017

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-41852 of 2017

DATE OF DECISION:16.01.2019

Rajinder Sharma

.....Petitioner

Versus

State of Haryana and another

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. RP Daaria, Advocate
for the petitioner.

Mr. R.S. Doon, AAG, Haryana.

Mr. Parminder Walia, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

Learned counsel for respondent-State submits that interim bail was obtained by mentioning wrong contentions. The petitioner was declared proclaimed offender on 11.9.2015 and his petition for grant of anticipatory bail was already dismissed in the year 2015. The present is the second petition and was filed in the year 2017. The interim order is continuing since the date of issuance of notice of motion i.e. 7.11.2017.

Neither the reference of earlier petition is there nor it has been brought to the notice of this Court that earlier the petitioner was declared proclaimed offender, whereas, at the time of filing of this petition, he was already declared as proclaimed offender. Notice of motion in the case was

issued on 7.11.2017 and since then interim order is continuing because of adjournments sought on various dates. Even the order passed subsequently by this Court has not been complied with.

Since the petitioner has already been declared proclaimed offender and this fact was not brought to the notice of this Court, the petition deserved to be dismissed only on the ground of concealment of material facts.

Dismissed.

However, the petitioner is at liberty to avail appropriate remedy.

January 16, 2019
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No