

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

CRM-M-21353 of 2019 (O&M)
Decided on:- May 28, 2019.

Shamu @ Shamdin.

.....Petitioner.

Versus

State of Punjab and others

.....Respondents.

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

Present:- Mr. R.K. Arya, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

This is second petition filed by the petitioner under Section 438 Cr.PC seeking anticipatory bail in FIR No.17 dated 20.02.2014 under Sections 363, 366-A and 120-B IPC as well as Sections 376 and 342 IPC (added later on) registered at Police Station Ghuman, District Batala.

Learned counsel for the petitioner states that the petitioner and respondent No.3 have solemnised marriage and are staying together as husband and wife. He further states that the petitioner is ready to surrender before the trial Court, provided he be protected from arrest.

Notice of motion.

On asking of this Court, Mr. Rana Harjasdeep Singh, Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State.

Learned counsel for the petitioner is directed to supply requisite number of complete copies of the paper book to learned State counsel during course of the day.

At this stage, Ms. Sukhveer Kaur, Advocate has put in appearance and filed Memo of Appearance on behalf of respondents No.2 and 3, which is taken on record. She admits the fact that the petitioner and respondent No.3 are staying together as husband and wife.

Learned State counsel, on instructions from ASI Daljit Singh, states that vide order dated 05.08.2015, the petitioner was declared as proclaimed offender and, therefore, the present petition seeking anticipatory bail is not maintainable.

Having heard learned counsel for the parties and
Heard.

Having heard learned counsel for the parties and considering the fact that the petitioner and respondent No.3 are staying together as husband and wife coupled with the fact that the petitioner has shown his inclination to surrender before the trial Court, the present petition is disposed of with a direction that in case the petitioner surrenders before the trial Court within two weeks from today, he shall be admitted on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court, provided that there is no other case registered against him.

May 28, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No