

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7009-2020

DATE OF DECISION: FEBRUARY 17, 2020

BIRBAL PRASAD

...PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. RAHUL DEV SINGH, ADVOCATE
FOR THE PETITIONER.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in a complaint case bearing NACT No.879 of 2017 titled as Darshan Lal vs. Birbal Prasad under Section 138 of Negotiable Instruments Act before Judicial Magistrate 1st Class, Panchkula.

Learned counsel for the petitioner contends that the petitioner had no knowledge about the complaint filed against him and thus, has wrongly been declared as Proclaimed Offender by the trial Court on 4.6.2019. Learned counsel for the petitioner submits that the petitioner is ready and willing to join the investigation in the event of grant of pre-arrest bail to him.

A perusal of the case file reveals that the petitioner was issued notices through summons, bailable warrants, non-bailable warrants which were duly received back served through his son. This Court is of the view that it was well within the knowledge of the petitioner that a complaint has been instituted against him and the petitioner willfully chose not to join the

proceedings.

Keeping in view the conduct of the petitioner, this Court does not find it a fit case to grant the extra ordinary concession of pre-arrest bail to the petitioner.

Resultantly, the petition is dismissed.

February 17, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No