

**Sr.No.123**

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

**CRM-M-8067-2020**

**Date of decision:26.02.2020**

**Charanjit Singh**

**... Petitioner(s)**

**versus**

**State of Punjab**

**... Respondent (s)**

**Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri**

**Present:** Mr. Anurag Chopra, Advocate  
for the petitioner.

**Jasgurpreet Singh Puri, J.(Oral)**

Present petition has been filed under Section 482 Cr.P.C seeking quashing of order dated 01.08.2008 (Annexure P-2) passed by the learned Judicial Magistrate Ist Class, Amritsar whereby the petitioner has been illegally and arbitrarily declared as proclaimed offender.

Learned counsel for the petitioner at the outset states that he is not pressing for quashing of the impugned order dated 01.08.2008 (Annexure P-2) but he states that petitioner is willing to surrender before the learned Trial Court as in the present case the petitioner was not in India when proceedings were carried out against him. He therefore, prays that he may be protected in the meanwhile. He has further submitted that co-accused has already been acquitted by the learned Trial Court therefore, in this situation no useful purpose would be served in case the litigation is prolonged and the petitioner would be facing agony in that situation. Since he is already willing to surrender before the Court, he prays that he may be protected in this regard.

The law with regard to grant of anticipatory bail in such a

situation, is settled by the Hon'ble Supreme Court in ***2014(2) SCC 171 State of Madhya Pradesh vs. Pradeep Sharma*** wherein the Hon'ble Supreme Court set aside the order of the High Court of granting bail to the proclaimed offender. Therefore, this Court also does not find any ground to grant anticipatory bail to the petitioner.

However, in case the petitioner surrenders before the learned Trial Court within three days from today and he applies for grant of regular bail, the learned Trial Court shall make an endeavour to dispose of the same on the same day.

Disposed of.

**26<sup>th</sup> February, 2020**  
Shivani Kaushik

**[JASGURPREET SINGH PURI]**  
**JUDGE**

*Whether speaking/reasoned*      *Yes/No*

*Whether Reportable*              *Yes/No*