

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

101

**CRM-M-21322-2020
Decided on : 12.10.2020**

Kapil Batra

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.R.S.Bajaj, Advocate, for the petitioner.

Mr.A.A.Pathak, Addl.AG, Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Third petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail in FIR No.77 dated 27.12.2014, registered at Police Station Sadar Malout, District Sri Muktsar Sahib, under Sections 306, 420, 120-B, 34 IPC.

The second anticipatory bail application had been dismissed on 29.09.2015. In pursuance of the order dated 29.09.2020, State Counsel has produced the order dated 28.10.2016, passed by the JMIC, Malout whereby the petitioner and his brother, Rajan Batra were declared proclaimed persons, under Section 82 Cr.P.C.

It is settled principle that benefit of anticipatory bail cannot be granted to persons who are declared proclaimed persons, more so especially since the order was passed way-back 4 years earlier. Even otherwise, it is the third anticipatory bail application which is not maintainable.

In such circumstances, counsel for the petitioner does not wish to press the present petition, with liberty to avail his alternative remedy, in accordance with law, if any.

Ordered accordingly.

**(G.S. SANDHAWALIA)
JUDGE**

OCTOBER 12, 2020
sailesh

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No