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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37018-2020
Date of decision-11.11.2020

Gurwinder Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S.Mann, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.168 dated 08.10.2014 registered under Sections 380 and 457 Indian Penal Code, 1860 (Section 411 IPC added later on) at Police Station Doraha, Police District Khanna, District Ludhiana.

During the course of hearing, it is not disputed by learned counsel for the petitioner that concession of regular bail was extended to the petitioner in the year 2014 but because of his absence on 07.09.2018, his bail was cancelled. He fairly states that the proclamation notice has already been issued against the petitioner, therefore, on the apprehension of arrest, he has filed petition under Section 438 Cr.P.C.

After hearing learned counsel for the petitioner, this Court finds that in view of the decision dated 04.04.2019 delivered by this Court in CRM-M No.15464 of 2019 titled Balwant Singh @ Banta Versus State of Punjab, the petition under Section 438 Cr.P.C is not maintainable,

particularly when the petitioner was throughout aware of the trial

proceedings against him and deliberately remained away without any justifiable reason.

In view of the above, the petition for grant of pre-arrest bail is not maintainable.

Resultantly, the petition is dismissed.

11.11.2020

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Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

(MANOJ BAJAJ)
JUDGE
No
No