

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

238

CRM-M-1782-2020

Decided on : 22.07.2021

Rohit Kumar @ Babloo

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Vipin Mahajan, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

Prayer in the instant petition filed under Section 482 Cr.P.C., is for quashing of order dated 24.04.2019 (Annexure P-3) vide which the petitioner was declared Proclaimed Person, in case FIR No. 07, dated 07.04.2018, under Section 376 of IPC (added later on Sections 376-D, 292, 34 of IPC and Section 67-A of the IT Act, 2000), registered at Police Station Dhar Kalan, District Pathankot.

Learned counsel for the petitioner submits that vide Special Investigation Team (S.I.T.) enquiry report dated 12.03.2020 (Annexure P-8), all the accused were found innocent and directions were issued for filing of cancellation report. He, therefore, submits that in the wake of the S.I.T. enquiry report (Annexure P-8), the petitioner be extended the concession of bail in the instant case.

Heard.

The petitioner was declared proclaimed person vide order dated

24.04.2019 (Annexure P-3) in the FIR in question and thereafter, remained absconding for more than 02 years. In view of the same, no ground is made out to extend the concession of anticipatory bail to the petitioner.

Faced with this situation, learned counsel submits that he does not press the present petition. He, however, states that the petitioner would surrender before the Court below and till such time, he may be protected and the Court below be directed to decide his application for bail within a time bound manner.

Dismissed as not pressed. However, in view of the specific stand taken by the learned counsel for the petitioner, the petitioner is directed to appear & surrender before the Court below within a period of one week from today. On his appearance & surrender, the Court below shall decide his application for bail within one week, in accordance with law. Till his appearance and surrender before the Court below within the stipulated time, no coercive steps shall be taken against him. In case the petitioner fails to surrender within the stipulated time, this order shall be of no avail to him.

(MANJARI NEHRU KAUL)
JUDGE

July 22, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*