

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

**CRM-M-6124-2021(O&M)
Date of decision:-10.2.2021**

Jagtar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Present : Mr.Vikas Lochab, Advocate for
Mr.Gaurav Jain, Advocate
for the petitioner.

H.S. MADAAN, J.(ORAL)

Case taken up through video conferencing.

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner – Jagtar Singh, an accused in case FIR No.462 dated 6.10.2020, under Section 174-A IPC, registered with Police Station City, Tohana, District Fatehabad. The petitioner/accused had been declared as a proclaimed offender in a criminal complaint under Section 138 of Negotiable Instruments Act, 1881 filed by complainant Naresh Kumar against him. Thereafter, on matter being reported to the police, the present FIR was registered.

Apprehending his arrest in this case, the present petitioner

had approached the Court of Sessions seeking grant of pre-arrest bail by filing an application. However, his such request was declined by learned Additional Sessions Judge, Fatehabad vide order dated 3.12.2020. As such, the present petitioner has approached this Court by way of filing the instant petition asking for the similar relief.

I have heard learned counsel for the petitioner besides going through the record.

Learned Additional Sessions Judge, Fatehabad has rightly rejected the application of petitioner placing reliance upon the judgment delivered by the Hon'ble Apex Court in case **State of Madhya Pradesh Versus Pradeep Sharma, AIR 2014 SC 626**, wherein it has been observed that when an accused had absconded and declared as a proclaimed offender in terms of Section 82 Cr.P.C., he is not entitled to pre arrest bail.

Finding no merits in the present petition, the same stands dismissed.

10.2.2021
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No