

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 7504 of 2021 (O&M)

Date of decision : 17.2.2021

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Arvinder Pal Singh

.....Petitioner

vs.

Gurmeet Singh

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Vishal Goel, Advocate for the petitioner.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Arvinder Pal Singh, an accused in a criminal complaint under Section 138 of the Negotiable Instruments Act, filed by Gurmeet Singh, against him, in which he has been declared as a proclaimed offender by the Court of JMIC, Patiala.

In view of the the Apex Court authorities **State of Madhya Pradesh vs. Pradeep Sharma 2014 (2) RCR (Criminal) 269** and **Lavesh vs. State (NCT of Delhi) 2012 (4) RCR (Criminal) 240,** a proclaimed offender being absconder, in terms of Section 82 Cr.P.C., is not entitled to the discretionary relief of pre-arrest bail.

Therefore, the present petition is not maintainable. The proper course for the petitioner is to surrender in the trial Court, apprise it of all the facts and circumstances and then pray for grant of regular bail.

At this stage, learned counsel for the petitioner states that he be permitted to withdraw the present petition. Allowed.

Dismissed as withdrawn.

17.2.2021
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No