

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

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**CRM-M-18519-2021
Date of decision: 16.11.2021**

Surjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Inderjit Sharma, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

Mr. Karan Choudhary, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed for grant of anticipatory bail to the petitioner in case FIR No.009 dated 14.01.2021 under Section 376 IPC registered at Police Station Dina Nagar, District Gurdaspur.

On a pointed query put to the learned counsel for the petitioner as to how the petitioner, who admittedly is a proclaimed offender could be extended the concession of anticipatory bail, he has submitted that Section 82 Cr.P.C. does not create any rider much less impose any restriction in filing of anticipatory bail by a proclaimed offender. In support, learned counsel has placed reliance upon ***Mahender Kumar Vs. State of Himachal Pradesh : 2021(1) RCR (Criminal) 156.***

I have heard learned counsel and perused the material on record.

The Supreme Court in *Lavesh Vs. State (NCT of Delhi)* : *(2012) 8 SCC 730* while considering the scope of extending the concession of anticipatory bail to a proclaimed offender has held in no uncertain terms that since it is an extraordinary relief, it should not be extended to a proclaimed offender or even a person against whom proceedings under Section 82 Cr.P.C. may have been initiated. Hence in the wake of settled law, this Court does not find any merit in the instant petition.

Dismissed.

16.11.2021

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No