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

CRM-M-43389-2021

Date of decision-27.10.2021

Daljit Singh @ Dattu

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Satpreet Grewal Kapila, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.16 dated 29.02.2012 registered under Sections 399, 402, 307 and 411 Indian Penal Code, 1860 and Sections 25, 54 and 59 Arms Act, 1959 at Police Station Garhdiwala, District Hoshiarpur, who apprehends his arrest at the hands of police, pursuant to the issuance of bailable warrants vide order dated 26.08.2021 (Annexure P-2), passed by the trial Court.

Learned counsel for the petitioner has argued that the petitioner was initially granted bail in the above FIR, however, during the pendency of the trial, he absented and as a consequence, his bail was cancelled vide order dated 20.03.2019. According to learned

counsel, the petitioner is willing to join the trial proceedings again and the same are now fixed for 28.10.2021. She has fairly stated that vide order dated 26.08.2021 (Annexure P-2), the proclamation notice has been issued against the petitioner.

After hearing learned counsel for the petitioner, this Court finds that the petitioner was well aware of the pendency of the trial, who without seeking any permission from the Court absented from the trial proceedings. Thereafter, he never made any attempt to submit himself before the trial Court in order to rejoin the proceedings and has approached this Court at a stage when he is on the verge of being declared as proclaimed person.

Considering the above background, as well as the decision dated 04.04.2019 passed by this Court in CRM-M No.15464 of 2019 titled “Balwant Singh @ Banta Vs. State of Punjab”, this petition under Section 438 Cr.P.C is not maintainable.

Dismissed.

(MANOJ BAJAJ)
JUDGE

27.10.2021

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No