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

CRM-M No. 46877 of 2021
Date of Decision: 09.11.2021

Mubarik

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Afzal Hussain, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in his second attempt in case bearing FIR No.0325 dated 16.04.2016 under Sections 120-B, 420, 467, 468, 471 IPC and under Section 61 of Punjab Excise Act registered at Police Station Sadar Jhajjar, District Jhajjar, Haryana.

CRM-M No.11506 of 2021 was dismissed on merits vide order dated 27.08.2021.

The said order was passed after finding that the petitioner was a proclaimed offender. Even the Court of

Sessions vide order dated 26.02.2021 dismissed the prayer for grant of anticipatory bail on the premise that the petitioner was declared as proclaimed offender by Chief Judicial Magistrate, Jhajjar vide order dated 03.04.2017.

Now, learned counsel for the petitioner submits that there is no order dated 03.04.2017 on record. He places reliance upon a report submitted by the concerned official (Annexure P-3).

At this stage, it would be just and appropriate to allow the petitioner to file anticipatory bail before the Court of Sessions at the first instance. On filing such petition, the Court shall decide the same on merits.

Disposed of.

09.11.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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