

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

CRM-M-13726-2022

Date of decision: 01.04.2022

Parveen Kumar

...Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr.Mandeep K. Sajjan, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in complaint case bearing No.28 dated 15.01.2019, titled as 'Gurmail Singh Vs. Parveen Kumar', under Sections 138/142 N.I.Act, pending in the Court of learned Judicial Magistrate Ist Class, Pehowa.

Learned counsel for the petitioner contends that the petitioner had been regularly appearing before the trial Court, but somehow, he could not appear before it on 09.03.2021, following which his bail was cancelled and warrants of arrest had been issued against him, for 04.05.2021; that ultimately, the petitioner was declared a proclaimed person on 28.02.2022, and that the absence of the petitioner was not intentional.

I have heard the learned counsel for the petitioner.

A perusal of the record would show that earlier on one occasion, the petitioner absented himself from the court proceedings on 16.08.2019, but had been granted bail on 19.11.2019 by the learned trial Court.

Keeping in view the fact that the petitioner has since been declared a proclaimed offender, this Court finds that the petitioner is not entitled to the relief of anticipatory bail. Moreover, the petitioner has failed to show any valid reason for his absence from the court proceedings.

Faced with the situation, learned counsel for the petitioner submits that the petitioner would surrender before the trial Court within one week positively and move an appropriate application seeking relief of regular bail there. He, accordingly, restricts his prayer to the issuance of directions to the trial Court to decide the said bail application of the petitioner at the earliest.

Resultantly, the present petition is disposed of with a direction to the petitioner to surrender before the trial Court within one week from today. It is further made clear that in case, the petitioner moves an application seeking the relief of regular bail, the trial Court shall decide the same within three days.

01.04.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No