

CRM-M-26447-2022

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

CRM-M-26447-2022

Date of decision: 04.07.2022

Lovepreet Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Tarun Sharma, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case FIR No.156 dated 16.10.2015, registered at Police Station Kulgari, District Ferozepur, under Sections 307, 382, 435, 427, 341, 323, 506, 148 and 149 IPC (Sections 436, 355, 298, 379-B and 120-B IPC and Section 67 of the Information Technology Act, 2000, added later on).

Learned counsel for the petitioner contends that the FIR was registered against unidentified persons; that the petitioner was indicted in the present case on the basis of the supplementary statement of complainant-Darshan Singh, who was a member of SGPC; that all the co-accused stood acquitted of the charges, vide judgment dated 22.10.2018 passed by learned Addl. Sessions Judge, Ferozepur; that the petitioner had gone abroad and was not aware about the pendency of the present case, and that by way of CRM-M-24522-2022, the petitioner has challenged the order dated 12.06.2017, declaring him a proclaimed offender, and notice of motion has been issued therein.

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I have heard the learned counsel for the petitioner.

In the present case, the above-noted FIR was registered on the statement of complainant-Darshan Singh, a member of SGPC, who stated that some mischievous persons had torn the pages of Sikh religious scripture, and that when he alongwith others approached the spot in his vehicle, the assailants had also attacked upon him.

Perusal of the record shows that the petitioner was declared a proclaimed offender on 12.06.2017. The petitioner has challenged the aforesaid order dated 12.06.2017 before this Court, by way of CRM-M-24522-2022 wherein notice of motion has been issued for 26.08.2022. No interim protection, however, has been granted to the petitioner in that petition. The petitioner has evaded the process of law for about five years.

It has been held by the Hon'ble Supreme Court in Criminal Appeal No.1209 of 2021, titled as 'Prem Shankar Prasad Vs. State of Bihar and another', decided on 21.10.2021, that "*if an accused is declared a proclaimed offender in terms of Section 82 Cr.P.C, he is not entitled to the relief of anticipatory bail*". The present case squarely falls within the four corners of the afore-cited observations and in the light thereof, it is explicit that the petitioner does not deserve the relief, as prayed for, in this petition.

In view of the above, I do not find any merit in the present petition.

Dismissed.

04.07.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No