

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

205

**CRM-M No.34764 of 2020
Date of Decision: 16.09.2022**

Amarjit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. I.P.S. Kohli, Advocate
 for the petitioner.

Mr. Arun Gupta, AAG, Punjab
for respondent No.1-State.

MEENAKSHI I. MEHTA, J. (Oral)

Apprehending his arrest in the criminal case arisen out of the FIR bearing No.263 dated 23.08.2007 registered at Police Station City Kapurthala, District Kapurthala, under Sections 420, 406 IPC and Section 24 of the Immigration Act 1983, the petitioner has moved this petition for seeking the relief of anticipatory/pre-arrest bail.

2. Bereft of unnecessary details, the allegations, as levelled by informant Mohinder Singh in the subject FIR, are that the petitioner, along-with his co-accused, had duped him of an amount of Rs.4.5 lac on the pretext of sending his (informant's) son abroad (England).

3. I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file carefully.

4. Learned counsel for the petitioner contends that the petitioner had been extended the relief of interim bail in this case by the Co-ordinate

Bench vide the order dated 25.01.2021 and he had furnished the requisite bail bonds accordingly and his absence from the Court was not intentional and therefore, he deserves the relief as prayed for in the instant petition.

5. Per-contra, learned State counsel argues that the petitioner had been declared a proclaimed offender vide the order dated 22.11.2013 and thus, he had evaded the process of the law as well as the Court for a long time and it being so, the present petition be dismissed.

6. It has categorically been pleaded in para No.2 of the petition itself that the petitioner absented himself from the Court on 01.06.2011 and was, finally, declared a proclaimed offender on 22.11.2013. Hon'ble the Supreme Court has observed in **State of Madhya Pradesh vs. Pradeep Sharma (2014) 2 SCC 171** that “when a person has been declared a proclaimed offender in terms of Section 82 Cr.P.C, he is not entitled to the relief of anticipatory bail”. These observations are fully applicable to the instant case and in view of the same, it is explicit that the petitioner does not deserve the relief of anticipatory/pre-arrest bail.

5. As a sequel to the fore-going discussion, it follows that the present petition deserves dismissal. Resultantly, the same stands dismissed accordingly and the above-referred order dated 25.01.2021 stands vacated.

6. A copy of this order be sent to the concerned trial Court for necessary information.

16.09.2022
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No