

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

(101)

**CRM-M-54258-2022
Date of decision : 23.12.2022**

Kirpal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gurmeet Singh Saini, Advocate for
Mr. Ranbir Singh Sekhon, Advocate for the petitioner.

Mr. P.S.Grewal, DAG, Punjab.

Mr. Amandeep Singh Manaise, Advocate
for complainant-respondent No.2.

SUVIR SEHGAL, J. (Oral)

This is the second petition filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in Complaint bearing COMI No.30 of 2018 dated 28.02.2018, registered for offences under Section 375 (4), IPC, read with Sections 376, 366, 354, 494, 506, IPC, at Police Station Sadar Fazilka, Annexure P-1.

Advance copy of the petition has been served upon the State.

Upon instructions from ASI, Sukhminder, State counsel submits that petitioner has been declared as proclaimed person, vide order dated 19.12.2022 passed by learned Additional Chief Judicial Magistrate, Fazilka.

Petition seeking anticipatory is not maintainable at the hands of an absconder, as has been held by the Hon'ble Supreme Court in ***Lavesh Versus State (NCT of Delhi) (2012) 8 SCC 730.***

Petition is dismissed.

**(SUVIR SEHGAL)
JUDGE**

23.12.2022
Pardeep

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No