

(115)

2023:PHHC:092562

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

CRM-M-32792 of 2023

Date of Decision: July 21, 2023

Vikram Tyagi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Abhimanyu Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 482 Cr.P.C., petitioner has prayed for quashing of order dated 27.01.2020 passed by learned Judicial Magistrate Ist Class, Bhiwani (Annexure P.3) in case titled State Vs. Karan Sheoran and others, arising out of FIR No.163 dated 01.03.2019 registered under Sections 406, 420 and 506 IPC at Police Station City Bhiwani.

As it emerges on perusal of the paper book, petitioner had earlier applied for anticipatory bail by filing CRM-M-43803 of 2019 (O&M), which was dismissed by this Court vide order dated 16.10.2019 (Annexure P.1). Petitioner again filed yet another petition bearing CRM-M-3376 of 2020 (O&M) for seeking anticipatory bail wherein the following order (Annexure P.2) was passed by this Court:-

“The earlier anticipatory bail of the petitioner was rejected by this Court on 16.10.2019 in CRM-M No.43803 of 2019 titled Vikram Tyagi Vs. State of Haryana. The said order was passed on the ground that similar prayer for anticipatory bail was rejected by this Court in case of co-accused Karan on 01.10.2019 in CRM-M No.15444 of 2019. Co-accused Karan surrendered before the Court and remained in custody. Challan has been presented qua him. Charges have been

framed and vide order of even date passed by this Court, he has been granted regular bail.

Petitioner did not surrender despite dismissal of his anticipatory bail on 16.10.2019. He again ventured to file petition for grant of anticipatory bail before the Court of Sessions. After dismissal of the same on 16.12.2019, he again approached this Court by way of present petition.

There is no change in circumstance in the case of the petitioner. No ground is made out to grant anticipatory bail to the petitioner. However, petitioner would be at liberty to surrender before the Court and seeks regular bail in accordance with law.”

By way of impugned order dated 27.01.2020, petitioner has been declared proclaimed person. It is contended by learned counsel that due to the medical conditions of the petitioner, he could not surrender before the Court and therefore, the impugned order be set aside.

There is absolutely no merit in the petition. As is evident from the documents available on record, twice the petitions for anticipatory bail moved by the petitioner were dismissed by this Court. Petitioner did not surrender before the police authorities despite dismissal of the anticipatory bail petitions and, ultimately, he was declared proclaimed person.

In such circumstances, no relief can be given to the petitioner.

Dismissed.

July 21, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No