



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-40280-2024 (O&M)

Date of Decision: 25.09.2024

Jashan Gill @ Jaison Gill

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Ms. Ruchi Sekhri, Advocate for the petitioner.

Mr. Kunwarbir Singh, A.A.G., Punjab.

Mr. Arun William, Advocate for the complainant.

NIDHI GUPTA, J. (ORAL)

Prayer in this 1st petition under section 482 of BNSS for grant of anticipatory bail to the petitioner in case FIR No. 126 dated 09.07.2023 registered under Section 376, 304-A, (section 313, 314 IPC added later on), at Police Station Dinanagar, District Gurdaspur.

Status report dated 24.09.2024 filed by way of an affidavit of the Deputy Superintendent of Police, Dinanagar, District Gurdaspur on behalf of the State of Punjab in Court today is taken on record.

At the very outset, learned counsel for the State submits that the present petition has been rendered infructuous as in the interregnum; the petitioner has been declared proclaimed offender vide order dated 21.09.2024 passed by learned JMIC, Gurdaspur. A copy of the said order has been handed over in Court today and the same is taken on record.

Learned counsel for the petitioner does not dispute the above fact, however submits that the present petition seeking anticipatory bail of the petitioner was pending before this Court and therefore, during the



pendency of the present petition, the petitioner could not have been declared proclaimed offender.

Learned counsel for the complainant has handed over a copy of the judgment passed by Hon’ble Supreme Court in ‘*Srikant Upadhyay and others vs. State of Bihar and another*’ *Law Finder Doc Id# 2519834*, wherein it is held that even during the pendency of anticipatory bail application when no interim protection is granted to the accused, he may be declared proclaimed offender for non-appearance before the learned trial Court. In the present case, admittedly, no interim protection was granted to the petitioner.

In view of the above, present petition stands dismissed.

Pending application, if any, stands disposed of.

25.09.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No