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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 465/2024

TALIB

.....Petitioner

Through: Ms.Tara Narula, (DHCLSC)

versus

STATE (GOVT. OF NCT) OF DELHI

.....Respondent

Through: Mr. Satish Kumar, APP for the State
with SI Vishwas, PS Chandni Mahal,

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

30.07.2024

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The present petition has been filed challenging the order dated 18.10.2023 whereby the petition filed against declaring the petitioner as Proclaimed Person, was dismissed.

During the course of the submissions, learned counsel for the petitioner submits that the petitioner is at present in the custody in the present case. However, learned counsel for the petitioner submits that the petitioner is aggrieved of the fact that only on account of being declared P.O. i.e. Proclaimed Offender, he is not getting the bail.

Learned counsel further submits that since the process were issued illegally, the entire of process should stand vitiated. Learned counsel relied upon the judgment of *Lakshay Jaiswal v. State (NCT of Delhi) and Another* 2024 SCC OnLine Del 4877. Learned counsel for the petitioner has also submitted that FIR under



Section 174 A IPC was also registered against the petitioner.

Without going into the merits, since the petitioner is in custody in the present case, the present petition has become infructuous. However, learned Trial Court shall consider the bail application of the petitioner without being influenced of him being declared a Proclaimed person on the merits. The learned trial court while hearing charge under Section 174 A IPC shall consider the same in accordance with the law and not being influenced by the disposal of the present matter.

The petition stands disposed of.

DINESH KUMAR SHARMA, J

JULY 30, 2024

Pallavi