

**IN THE COURT OF KAWALJIT SINGH,
ADDITIONAL SESSIONS JUDGE, TARN TARAN.
(UID Number PB0155)**

Case Type	Bail Application
Filing Number	4795/2021 Filing Date: 20.09.2021
Registration Number	2734/2021 Date of Registration: 21.09.2021
CNR Number	PBTT0100-6198-2021
Date of Decision	24.09.2021

Sarmail Singh @ Saramil Singh son of Jagtar Singh, resident of village Wan, Tehsil and District, Tarn Taran.

...Applicant-accused

Versus

State of Punjab

...Respondent

**Complaint under Section 138 Negotiable Instruments Act
Police Station, Sadar Tarn Taran**

BAIL APPLICATION UNDER SECTION 438 of Cr.P.C.

Present: Shri H.S. Sandhu, Advocate for the applicant/accused

ORDER

Applicant has filed the instant second bail application under Section 438 of Cr.P.C., seeking anticipatory bail in the above noted case.

2. It is submitted by the learned counsel for the applicant that the applicant/accused is innocent but false complaint has been filed against the applicant, in which the applicant has since been declared proclaimed offender. But the applicant was never served nor intimated in the case. It is only that when the applicant approached the bank for obtaining property documents that he was informed by somebody and has filed this complainant. It is submitted that the applicant is ready to appear before the learned trial court to face trial and prayed that anticipatory bail may kindly be granted to the applicant.

3. It is submitted and admitted by the learned counsel for the applicant that the applicant has been declared a proclaimed offender in this complaint case. Hon'ble High Court of Punjab and Haryana that proclaimed offender/person is not entitled for concession of anticipatory bail. There is no dearth of authorities on this point. In case titled as **Rajpal versus State of Haryana, 2003 (4) RCR (Criminal) 773**, also it has been held that if an accused is declared proclaimed offender, he has got no right to apply for pre-arrest bail. So, for the forgoing reasons, the present bail application is ordered to be dismissed. However, it is made here clear that observation made herein above shall not be construed as an expression on the merits of main case. Bail application file be consigned to the record room.

Announced: 24.09.2021

**Kawaljit Singh,
Additional Sessions Judge,
Tarn Taran.
UID Number PB0155**

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