

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc.-M No. 40588 of 2013
Date of Decision: 17.8.2015.**

Hari Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. U.K.Agnihotri, Advocate
for the petitioner.

Ms. Mahima, AAG, Haryana.

SABINA, J.

Petitioner has filed this petition under Section 482 of the Code of Criminal Procedure, 1973 challenging the order dated 7.10.2011 (Annexure P-1) whereby he was declared a proclaimed offender.

Prosecution story, in brief, is that on the day of occurrence, complainant had seen the petitioner at the gate of Government High School as he had come to cast his vote. Petitioner was a proclaimed offender in FIR No. 180 dated 23.7.2009 under Section 332, 353, 186, 302, 325, 506, 148, 149 of the Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Narwana Sadar, District Jind. Complainant apprehended the petitioner and made him sit in the government vehicle. In the meantime, some residents of the village came there and insisted that they would not allow the police to take away the petitioner.

Balinder alias Balwinder son of the petitioner, Sat Narain, Ishwar, Ram Kumar, Sewa and others attacked the police party with weapons. Consequently, the said assailants got released the petitioner from the police custody. Petitioner was declared a proclaimed offender vide the impugned order as he had failed to surrender despite warrants of arrest being issued against him. In the present case, petitioner is already a proclaimed offender in another criminal case registered against him.

Hence, in the facts and circumstances of the present case, no ground for quashing the impugned order is made out.

Dismissed.

**(SABINA)
JUDGE**

August 17, 2015
Gurpreet