

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41127-2015 (O&M).

Decided on: December 7, 2015.

Jatinder Kumar

.. Petitioner(s)

VERSUS

State of Punjab and another

.. Respondent(s)

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CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.J.B.S.Gill, Advocate,
for the petitioner.**

M.M.S. BEDI, J. (ORAL)

While the co-accused of the petitioner were tried and ultimately granted relief of probation, the petitioner was abroad and was declared a proclaimed offender.

Petitioner seeks quashing of FIR on the ground that case of co-accused has been finalised and that he had been wrongly declared a proclaimed offender. Quashing on the above said ground is not permissible. However, it will be open to the petitioner to challenge the order declaring the petitioner a proclaimed offender as he intends to submit to the process of law by appearing before the Court and face the trial, he having returned back to India.

This petition is disposed of with liberty to the petitioner to challenge the order declaring him a proclaimed offender and avail the remedy under Section 438 Cr.P.C., for protecting his liberty.

**(M.M.S. BEDI)
JUDGE**

December 7, 2015.

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