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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-5296 of 2015

Date of decision: February 19, 2015

Ravi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Deepak Girotra, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition under Section 482 of Code of Criminal Procedure, 1973 ('Cr. P.C.' for short) seeking quashing of the orders dated 21.01.2014 (Annexure P-3) and 03.01.2015 (Annexure P-5).

Heard.

FIR No. 33 dated 08.02.2013, under Sections 457, 380, 467, 471, 477-A, 420, 120-B of Indian Penal Code, 1860, at Police Station Urban Estate, Rohtak was registered against petitioner and others. Prayer for anticipatory bail by the petitioner was declined by the Sessions Court vide order dated 02.03.2013 and by this Court vide order dated 12.03.2013. Petitioner, however, did not surrender before the investigating agency or the Area Magistrate. Petitioner was well aware of the pendency of the case against him. Hence, the order dated 21.01.2014 (Annexure P-3), whereby petitioner was declared proclaimed offender, calls for no interference. Revision filed by

the petitioner against the said order was rightly dismissed by the Court of Revision vide order dated 03.01.2015. A perusal of the order Annexure P-5 reveals that the petitioner had filed second anticipatory bail before the Sessions Court and the same was dismissed vide order dated 29.09.2014. So far as Manjit Singh, co-accused of the petitioner, is concerned, the order declaring him a proclaimed offender was set aside by the Court of revision as his arrest had not been stayed by the Apex Court and the said order passed by the Apex Court had not been brought to the notice of the trial Court, at the time of passing of the order, whereby Manjit Singh was declared a proclaimed offender. Thus, the petitioner cannot claim parity with his co-accused Manjit Singh.

It is a settled proposition of law that the petitioner cannot invoke jurisdiction of this Court under Section 482 Cr. P.C. after dismissal of his revision by the Sessions Court, as it would amount to a second revision. However, in a case of grave injustice, this Court can interfere under Section 482 Cr.P.C. But in the present case, no grave miscarriage of justice has occurred warranting interference by this Court.

Hence, no ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

February 19, 2015

m.singh