

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M 15222 of 2016(O&M)

Date of decision: 06.05.2016

Sarwan Kumar

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Sunil Kumar Sharma, Advocate for the petitioner

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

The petitioner seeks quashing of FIR No.62 dated 7.12.2011 registered under Sections 399, 402 and 411 IPC and Sections 25 of Arms Act, 1959 at police station Gardhiwal, District Hoshiarpur and also quashing of order dated 9.4.2015 (Annexure P3), whereby the petitioner was declared proclaimed offender.

I have heard learned counsel for the petitioner and have also carefully gone through the file.

It comes out that the petitioner was arrested at the spot for offences punishable under Sections 399, 402, 411 IPC and Sections 25 of Arms Act, 1959. Other four persons escaped from the spot.

The petitioner was released on bail. Thereafter, he absconded and

left for foreign country. Now the remaining four accused have been acquitted on the ground that there is no test identification parade and their involvement in crime is not proved. However, the case of the present petitioner is entirely on different footing.

Keeping in view the facts and circumstances, I am of the view that there is no ground to quash the FIR merely on the ground that co-accused who stand at different footing have been acquitted by the Sessions Court.

The petitioner is directed to surrender before the police/ trial Court within 30 days.

The petition stands dismissed.

06.05.2016
gk

(Kuldip Singh)
Judge