

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20851 of 2016

Date of Decision: 12.07.2016

Ranjor Rana @ Rippa

.....Petitioner

Vs.

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Kamal Singh, Advocate, for the petitioner.

Mr.Himmat Singh, DAG Haryana.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of impugned order dated 12.11.2008 (Annexure P-1) declaring the petitioner as proclaimed offender by the learned JMIC Jagadhri in case FIR No.138 dated 26.12.2007 under Section 201/34/320/376 IPC registered at Police Station Buria.

Reply has been filed by learned State counsel, which is taken on record.

Vide order dated 14.06.2016, the petitioner had appeared before the trial Court on 02.07.2016 and the Court had admitted him to bail after accepting the bail bonds.

Vide judgment dated 25.09.2009, FIR No.138 dated 26.12.2007 was registered against the accused which culminated into the session trial No.39 of 2008. Vide judgment dated 25.09.2009, the accused who faced the trial were acquitted. This FIR was registered by the complainant-Jagmal Singh son of Sh.Ghansham on 26.12.2007 with regard to missing of his daughter since 20.12.2007 and thereafter her dead body was found on 26.12.2007. The petitioner was not present in India at the time of alleged occurrence and left India

memo of passport, ticket, present slip, insurance receipt and report (Annexure P-5). This ticket has been verified vide Annexure P-6 by office of the Foreigners Regional Registration Officer, East Block-VIII, Level-II, Sector-1, R.K.Puram, New Delhi.

Keeping in view the fact that petitioner was not present in India, petitioner was proceeded against and declared him as proclaimed offender. Even main accused in session trial No.39 of 2008 have been acquitted vide judgment dated 25.09.2009.

In compliance of the order dated 14.06.2016, petitioner had appeared before the trial Court on 02.07.2016 and he was admitted to bail after accepting his bail bonds.

In reply, this fact was not disputed by learned counsel for the State that petitioner was in Dubai at the time of commission of offence. Hence, order Annexure P-1 declaring the petitioner as proclaimed offender is set aside/quashed and petitioner shall face the trial in accordance with law.

Disposed of.

(RITU BAHRI)
JUDGE

12.07.2016
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