

102-A

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

**CRM-M-No. 23140 of 2016
Date of decision-30.08.2016**

**Gurjit Singh @ Kanti
Vs.
State of Punjab**

**...Petitioner
...Respondent**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab assisted by
ASI Mewa Singh.

JITENDRA CHAUHAN, J. (Oral)

On 27.08.2016, present petition was allowed conditionally on the statement of learned counsel for the petitioner made at bar that the petitioner is not a proclaimed offender in the State of Haryana. It was observed that in case, the statement made at bar is found to be false, the present petition shall be deemed to be dismissed without further notice.

However, after the rising of the Court on detailed inquiry from the Investigating Officer, the learned State counsel brought to the notice of the Court the the petitioner is still a proclaimed offender in the State of Haryana. Thereafter, the following order was passed on the same date:-

*“This petition was allowed today in the open
Court. The order is held in abeyance.*

To come up for re-hearing on 29.08.2016.

To be shown in the urgent list.”

Today, learned State counsel on instructions states that the petitioner has been declared a proclaimed offender vide a order dated

03.09.2015 passed by learned Judicial Magistrate First Class, Guhla whereby the petitioner was declared as proclaimed offender. The Investigating Officer in FIR No.64 dated 30.04.2015, registered under Sections 15/29, 61/85 of Narcotic Drugs and Psychotropic Substances Act (in short 'NDPS') at Police Station Cheeka, District Kaithal.

In view of the factual aspect of the matter and the fact that the petitioner has not approached this Court with clean hands, the order dated 27.08.2016 is recalled and the present petition is ordered to be dismissed with costs of Rs.15,000/- to be paid to District Legal Services Authority, Patiala with one month from today.

Dismissed.

(JITENDRA CHAUHAN)
JUDGE

August 30, 2016

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No