

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

**Criminal Misc.No.M-27921 of 2016 (O&M)
Date of Decision : 24th October, 2016**

Kamaljit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gurmeet Singh, Advocate
for the petitioner.

Mr. K.S.Pannu, DAG, Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred the instant petition under Section 482 Cr.P.C., for quashing of FIR No.06 dated 13.01.2011, registered at Police Station Sadar Khanna, Police District Khanna, District Ludhiana, under Sections 406, 420 IPC and order dated 31.03.2012, passed by the learned Judicial Magistrate Ist Class, Khanna, whereby the petitioner has been declared as proclaimed offender and all other consequential proceedings arising therefrom qua him.

During the arguments, learned counsel for the petitioner has stated that he would press this petition only with regard to the order dated 31.03.2012, declaring the petitioner as proclaimed offender. He has further stated that undoubtedly the petitioner had gone abroad in the year 2000 and he was abroad on 31.03.2012 when he was declared proclaimed offender,

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without any attempt being made to serve him abroad. Learned counsel for the petitioner has also stated that the petitioner is willing to come back to India to face the trial.

Reply by way of affidavit of Jagwinder Singh Cheema, Deputy Superintendent of Police, Khanna, Sub Division Khanna, Police District Khanna, on behalf of respondent(s)-State has been filed. Same is taken on record.

In the said reply, it has not been denied that the petitioner was living abroad or that any attempt was made to serve him in Italy.

In these circumstances, the instant petition stands allowed. In case the petitioner surrenders before the learned Chief Judicial Magistrate/Duty Magistrate, Ludhiana, within one month and to face the trial, the order dated 31.03.2012, passed by the learned Judicial Magistrate Ist Class, Khanna, shall stand quashed.

24th October, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking

Yes/No

Whether Reportable

Yes/No