

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

CRM-M-33731-2016

Date of decision-22.09.2016

Apar Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present:- Mr. Surinder Sharma, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for quashing of Final Report (Challan) in FIR No.26 dated 03.03.2005 registered under Section 427, 447, 506 and 148 read with Section 149 of the Indian Penal Code (in short 'IPC') at Police Station Samrala, District Ludhiana and order dated 04.03.2010 (Annexure P-2) declaring the petitioner as proclaimed offender.

Learned counsel for the petitioner contended that co-accused stand acquitted by the judgment dated 31.03.2014 passed by learned Judicial Magistrate First Class, Samrala. Vide order dated 04.03.2010, the petitioner was declared a proclaimed offender. Learned counsel further states that the petitioner is not involved in any other FIR.

Notice of motion.

At the asking of the Court, Ms. Harsimrat Rai, DAG, Punjab, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

No case for quashing the final report (Annexure P-1) and order (Annexure P-2) is made out at this stage.

However, considering the fact that the petitioner is serving abroad and never appeared before the trial Court and all accused stand acquitted, it is ordered that in case the petitioner surrenders before the trial Court within a month from today, the bail application will be decided expeditiously.

Petition stands dismissed.

The operation of order dated 04.03.2010 (Annexure P-2) is kept in abeyance till 21.10.2016, subject to payment of ₹50,000/- as costs of litigation.

(JITENDRA CHAUHAN)
JUDGE

September 22, 2016
vanita

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