

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43520 of 2013 (O&M)
DECIDED ON: August 26, 2016

GIAN CHAND

....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. IPS Mangat, Advocate for
Ms. Jatinderjit Kaur, Advocate,
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred under Section 482 Cr.P.C. by Gian Chand-petitioner seeking quashing of FIR No. 172, dated 26.08.1989, under Sections 323, 325/34 IPC, Police Station Division No.3, Jalandhar (Annexure P-1) and all other subsequent proceedings arising therefrom.

2. In response to the issuance of notice of motion, official respondents has furnished a reply by way of affidavit of Mr. Amneet Kondal, IPS, Assistant Commissioner of Police (North), Jalandhar.

3. A glance at the aforesaid reply-cum-affidavit transpires that during investigation of the case, the petitioner and his other co-accused were found innocent by Sh. Sukhcharan Singh Bajwa, Deputy Commissioner of Police, CID (Crime), Punjab (Chandigarh) on 28.02.1990. After the completion of investigation, challan has been prepared and presented before the Id.

Jurisdictional Magistrate on 25.05.1990 under Section 325 IPC against Nasib Singh Gill while mentioning the names of petitioner and his other co-accused in column No.2 of the challan. It has further been unfolded by learned State counsel that Nasib Singh Gill was declared proclaimed offender by Id. Magistrate vide order dated 28.02.1995.

4. In view of the facts narrated above, instant petition has rendered infructuous and the same is disposed of as such.

5. However, Deputy Commissioner of Police, Jalandhar is directed to make an endeavour to arrest Nasib Singh Gill within a period of 3 months from the date of receipt of certified copy of this order, so, that the proceedings may reach at its logical end.

August 26, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No