

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

**CRM-M-2377-2017
Date of decision-27.01.2017**

**Gurjinder Singh
Vs.
State of Punjab**

**...Petitioner

...Respondent**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. L.M.Gulati, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Criminal Procedure Code has been filed for quashing of order dated 17.05.2012 (Annexure P-2) passed by learned Sub Divisional Judicial Magistrate, Jagraon, whereby the petitioner was declared proclaimed offender in FIR No.181 dated 04.08.2004 registered under Sections 323, 452, 427 and 148 read with Section 149 of Indian Penal Code (in short 'IPC') at Police Station Sidhwan Bet, District Ludhiana.

Learned counsel for the petitioner contends that in the instant case, occurrence took place on 03.08.2017 whereas the FIR was registered on 04.08.2004 under Sections 323, 452, 427, 148 and 149 of IPC. The counter version was also registered under same sections. After the trial, both the parties were convicted but they were given benefit of probation. As per the record, petitioner knowing well that he is an accused in the present FIR, went abroad in the year 2004. The petitioner has not visited this country thereafter.

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 counsel, in the Court.

I have heard learned counsel for the parties and have gone through the case file.

In the above said backdrop and considering the fact that there are specific allegations against the petitioner and parties stand convicted and the petitioner was declared a proclaimed offender on 17.05.2012, this Court feels that no case for quashing of the FIR is made out.

However, considering the fact that co-accused have been allowed the benefit of probation and petitioner is still stated to be abroad, it is ordered that in case the petitioner surrenders before the competent Court within four weeks from today, his bail application be considered and decided expeditiously.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

January 27, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No