

..

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-30162-2017

Date of Decision:- August 18, 2017

Sukhdev Singh and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Gaurav Sharma, Advocate,
for the petitioner .

SHEKHER DHAWAN, J.

Present petition under Section 482 Cr.P.C. for seeking quashing of order dated 9.7.2017 (Annexure P/4), passed by learned Judicial Magistrate Ist Class, Moga in Criminal Complaint bearing No. RT-72 dated 24.5.2010, under Sections 452, 323, 324 & 34 IPC and Section 25 and 27 of the Arms Act, 1959.

2. Learned counsel for the petitioners contended that the petitioners have been falsely implicated in this case and they were not in India when the complaint was lodged and when they were declared as Proclaimed Offenders. Warrants of arrest were issued at the address of native village of the petitioners in India, whereas they are residing abroad. Now, they are ready to join the proceedings and they be admitted to bail.

3. Having considered the submissions made by learned counsel for the petitioners, this Court is of the considered view that the previous conduct of the

..

petitioners establishes that right from the date of passing of summoning order, the petitioners remained away from the proceedings of the Court and as such they were declared Proclaimed Offenders vide impugned order dated 9.7.2015 (Annexure P/4). The present petitioners, who are residents of United States of America have filed this petition through their attorney, namely Karan Avtar Kapil. Further, as per the complaint (Annexure P/2), Pritam Singh was armed with *kappa* and Sukhdev Singh strengthen his revolver towards the complainant and the injuries were caused to the complainant. More so, at the time of alleged occurrence, the petitioners were present in India and they were aware of the pendency of proceedings against them.

- 4. In view of the above, there are no grounds to interfere in the order dated 9.7.2017 (Annexure P/4).
- 5. The petition stands dismissed.

August 18, 2017
som

(SHEKHER DHAWAN)
JUDGE

Speaking/Reasoned	Yes
Reportable	Yes