

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3544-2017
Date of decision-06.02.2017

Navtej Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.J.S.Thind, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Criminal Procedure Code has been filed for quashing of complaint No.24282-2005 dated 15.06.2005/12.08.2014 on the basis of judgment dated 04.11.2015 (Annexure P-3) passed by Judicial Magistrate First Class, Amritsar and quashing of order dated 23.04.2012 passed by JMFC, Amritsar (Annexure P-2).

Learned counsel for the petitioner cites Division Bench judgment passed in “*Sudo Mandal @ Diwarak Mandal Vs. State of Punjab*” 2011(2) R.C.R.(Criminal) 453, to contend that similarly placed persons stand acquitted by the trial Court (Annexure P-4).

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

The allegations against the petitioner are at variance to the persons who suffered trial and earned acquittal. As per the record, the petitioner was declared a proclaimed offender on 23.04.2012. After the acquittal of the co-accused, namely, Randhir Singh and Sukwinder Kaur, the

petitioner has become brave to secure the benefit of the judgment passed by this Court. One of the co-accused, namely, Ravinder Singh has also been declared a proclaimed offender along with the petitioner.

In the circumstances, no case for quashing of complaint and order dated 23.04.2012 is made out at this stage.

However, keeping in view the fact that co-accused stand acquitted, it is ordered that in case the petitioner surrenders before the competent Court within two weeks from today, his bail application be decided expeditiously.

Dismissed.

(JITENDRA CHAUHAN)
JUDGE

February 06, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No