

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-36490 of 2017

Date of decision:27.10.2017

Kabir Sharma

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rajiv Kataria, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 482 Cr.P.C. for quashing of order dated 25.11.2016 passed by learned Judicial Magistrate Ist Class, Amritsar, in complaint No.RBT case No.12 of 24.9.2011/31.5.2014 titled as “Bua Singh Vs. Ashok Kumar and others”, wherein the petitioner has been summoned by the learned Judicial Magistrate Ist Class, Amritsar, vide order dated 23.1.2015 for the offences under Sections 302, 364 and 120-B IPC and the petitioner has been declared as proclaimed offender.

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

Learned counsel for the petitioner argued that only at one point of time, as per zimini orders, the summons were issued firstly to the present petitioner and as per the report these summons could not be served as he was not found at home. Then the Court issued the warrants against the

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petitioner for his appearance before the trial Court but even then despite issuing warrants so many times he could not be arrested.

The petitioner also filed application for anticipatory bail before this Court which had been dismissed by this Court vide order dated 4.8.2016, which means that the petitioner was in the knowledge of the proceedings and he intentionally absented from the Court proceedings and avoided his presence before the Court after dismissal of the application. In no way, it can be held that the petitioner was not knowing the proceedings and he has not intentionally avoided the process of the law. No other point has been argued by the learned counsel for the petitioner.

Keeping in view the facts and circumstances of the present case, I do not find any merit in this petition and the same is dismissed.

October 27, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No