

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

CRM-M No. 38137 of 2016

Date of Decision: 22.03.2017

Jai Parkash @ Fauji

.....Petitioner

Vs

State of Haryana and others

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

Ms. Gagandeep Kaur, A.A.G., Haryana.

Ms. Kamlesh, Advocate,
for respondent No. 2.

RAJ MOHAN SINGH, J.(Oral)

Prayer in this petition is for quashing of FIR No. 3 dated 04.01.1996, under Sections 148, 149, 325, 323 and 452 I.P.C. registered at Police Station Indri, District Karnal (Annexure P-1) and order dated 18.10.2005 (Annexure P-3), whereby the petitioner was declared as proclaimed offender.

After registration of the case, a proclamation was issued. When the petitioner could not be apprehended as he was in service in C.R.P.F. and once posted in Assam, his brother Gian Singh undertook to produce him before the Court.

Both the parties amicably resolved their controversy by entering into a compromise. The statements were made before the Judicial Magistrate Ist Class, Karnal on 16.02.2006.

Keeping in view the statements made by the complainant, the accused were acquitted vide order dated 16.02.2006, passed by the Judicial Magistrate Ist Class, Karnal. Since the petitioner was a proclaimed offender, therefore, the said order of acquittal could not be applied qua the petitioner.

After retirement, the petitioner intends to join the mainstream.

Other co-accused of the petitioner have since been acquitted, therefore, it would be just and expedient for the petitioner to surrender before the trial Court within a period of one week.

In the event of surrendering by the petitioner and filing petition for bail, the trial Court shall consider his prayer sympathetically on the same day, of course in accordance with law.

Disposed of.

22.03.2017

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**(RAJ MOHAN SINGH)
JUDGE**

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