

121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5829-2017
Date of decision-21.02.2017

Harjinder Singh @ Rinku
Vs.
State of Punjab and another

...Petitioner
...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Kartik Gupta, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Criminal Procedure Code has been filed for quashing of the order dated 10.03.2010 (Annexure P-3) passed by learned Judicial Magistrate First Class, Hoshiarpur whereby the petitioner has been declared as proclaimed offender in FIR No.173 dated 23.10.2006 registered under Sections 323, 341, 427, 428 and 149 of Indian Penal Code at Police Station Mahilpur, District Hoshiarpur.

Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. He further refers to “*Sudo Mandal @ Diwarak Mandal Vs. State of Punjab, 2011 (2) R.C.R. (Criminal) 453*” to contend that no useful purpose shall be served in case the petitioner is procured and ordered to face the PO proceedings in the instant case and he would simply face empty formality since the prosecution has not been able to prove its case and other co-accused have been acquitted.

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

The petitioner was declared a proclaimed offender as he went

abroad by misusing the concession of bail and thereafter evaded the process of law for nearly seven years.

Therefore no case for quashing of the order dated 10.03.2010 (Annexure P-3) is made out.

However, considering the fact that the compromise has been reached between the parties and the other co-accused stand acquitted, it is ordered that in case the petitioner surrenders before the trial Court within two weeks from today and prefers an application for grant of regular bail, the same shall be decided expeditiously.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

February 21, 2017
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No