

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-2890 of 2018
Date of Decision : 25.01.2018

Shakher Dass

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE LISA GILL

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

Lisa Gill, J.(Oral)

The petitioner seeks quashing of order dated 26.11.2008 (Annexure P-3) passed by the learned Judicial Magistrate 1st Class, Jalandhar, whereby the petitioner had been declared to be a proclaimed offender in FIR No. 94 dated 25.05.2006, under Sections 406, 420, 498-A IPC, registered at Police Station Division No. 8, Jalandhar.

It is noticed that the petitioner had earlier filed CRM No. M-3127 of 2010, which was disposed of on 05.02.2010 with a specific direction that in case the petitioner appears before the Illaqa Magistrate by 06.03.2010, he shall be released on bail on his furnishing personal bond as mentioned therein. It is further clarified that in case of non-compliance of the undertaking by 06.03.2010, the petition may be deemed to have been dismissed. Prior thereto the petitioner had filed CRM No. M-5430 of 2008 for quashing of the aforesaid FIR, which was dismissed on 29.02.2008 while observing that no indulgence can be shown to the petitioner, a proclaimed offender filing such a petition while sitting in U.K. Liberty was afforded to avail alternate relief after displaying his bona fide to return to India. The petitioner has deliberately concealed the factum of filing of the above said petition CRM No. M-3127 of 2010. An affidavit dated 06.01.2018 has been filed by the petitioner in this case, specifically stating therein that no such or

similar petition claiming the same relief has been filed by him. No indulgence can be shown to a litigant, who does not approach the Court with clean hands.

This petition is, accordingly, dismissed with costs of ₹25,000/-.

January 25, 2018
kanchan

(LISA GILL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>