

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

CRM-M-43717-2018 (O&M)

Date of Decision: 01.11.2018

Jarnail Singh

....Petitioner

Versus

State of Punjab and another

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ish Puneet Singh, Advocate
for the petitioner(s).

ANITA CHAUDHRY, J

This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.371 dated 22.12.2000 (Annexure P-4). Petitioner also seeks quashing of order dated 20.03.2001 (Annexure P-6) vide which he was declared proclaimed offender.

I have heard counsel for the petitioner at great length.

A perusal of the record shows that the petitioner had earlier approached this Court and had filed a similar petition and had challenged the proclamation order and considering the factual aspects, the petition was disposed of. The petitioner was asked to surrender before the trial Court within 3 months. On appearance he was to give an undertaking that he would surrender his passport and appear before the Court on each date of hearing. The trial Court had also been directed to make endeavour to conclude the trial within 6 months. The order was passed on 09.07.2008.

A query was posed to the counsel as to whether the petitioner had complied with the order. The counsel states that in view of the subsequent development and since his case for review was considered by the DGP and his name was removed from the list of proclaimed offender, therefore, it was not considered necessary.

The petition had approached this Court for the second time challenging the same order which has been challenged earlier. The second petition was not maintainable. There were certain directions which were given to the petitioner, which he failed to comply. No order has been placed on record to show that the petitioner had come back to the country or had surrendered his passport. Therefore, the petition has to be dismissed *limine*. The petitioner will have to surrender before the Court below.

The petition is dismissed.

November 01, 2018

ps-I

**(ANITA CHAUDHRY)
JUDGE**

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