

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 9797 of 2018 (O&M)

Date of decision : 30.7.2018

...

Nandini Devi and others

.....Petitioners

vs.

State of Punjab and another

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Rishu Mahajan, Advocate
for the petitioners.

Ms. Samina Dhir, Senior Deputy Advocate General,
Punjab.

Ms. Neha Gupta, Legal Aid Counsel for respondent No.2.

...

H. S. Madaan, J.

This is a petition for quashing of FIR No. 278 dated 27.12.2017, for offences under Section 174-A IPC, registered at Police Station Division No.1, Jalandhar and all other consequential proceeding arising therefrom.

Notice of the petition was given to the State, who has put in appearance.

Admittedly, the petitioners were declared as proclaimed offenders by the trial court vide order dated 15.6.2017. Thereafter, FIR under section 174-A IPC was registered. Section 174-A IPC

provides as under:-

“1[174A. Non-appearance in response to a proclamation under section 82 of Act 2 of 1974.—
Whoever fails to appear at the specified place and the specified time as required by a proclamation published under sub-section
(1) of section 82 of the Code of Criminal Procedure, 1973 shall be punished with imprisonment for a term which may extend to three years or with fine or with both, and where a declaration has been made under sub-section (4) of that section pronouncing him as a proclaimed offender, he shall be punished with imprisonment for a term which may extend to seven years and shall also be liable to fine.]”

The case of the petitioners is squarely covered by such provision and no ground is made out to quash such FIR and consequential proceedings.

The petition being without any merit stands dismissed.

30.7.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No