

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-55786 of 2018

Date of Decision: 17.12.2018

Sarabjit Lal alias Sabhi

... Petitioner(s)

Versus

State of Punjab and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Rajiv Joshi, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Section 482 Cr.P.C. for quashing of order dated 31.10.2009 (Annexure P5), passed by the learned Judicial Magistrate Ist Class, Phillaur in case FIR No. 50 dated 27.04.2006, registered under Sections 452, 341, 323, 325, 148 & 149 IPC, at Police Station Nurmahal, District Jalandhar, whereby petitioner has been declared Proclaimed Offender.

Learned counsel for the petitioner contended that petitioner along with his co-accused were facing trial; after completion of trial, his co-accused were released on probation and now petitioner also wants to surrender before the learned trial Court and face the trial. Learned counsel placed reliance upon the judgment rendered by the co-ordinate Bench of this Court in *Ashok Kumar v. State of Haryana and Another 2013(4) RCR*

(Criminal) 550, whereby similar relief was granted to the petitioner therein.

Having considered the submissions made by learned counsel for the petitioner and view taken by the co-ordinate Bench, this Court is of the considered view that petitioner has misused the process of law for a period of more than nine years and there is absolutely no ground for quashing the impugned order (Annexure P5) whereby he was declared Proclaimed Offender. Similar matter was before the Hon'ble Apex Court in *State of Madhya Pradesh v. Pradeep Sharma 2014 (1) RCR (Criminal) 269*, wherein it was observed that proclaimed offender is not entitled to be released on bail. Hence, present petition, being devoid of any merit, stands dismissed.

(Shekher Dhawan)
Judge

December 17, 2018

“DK”

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