

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3984-2019

Date of Decision: 30.01.2019

Baljit Singh

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Paras Talwar, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing order dated 24.12.2005 (Annexure P-1) passed by the Judicial Magistrate Ist Class, Ludhiana, whereby the petitioner was declared as proclaimed offender in Criminal Complaint No. 87/1 dated 12.06.1999, under Sections 406, 420, 427, 467, 468, 471 and 120-B IPC read with Sections 52 and 191 of the Motor Vehicles Act, 1988.

Heard.

Learned counsel *inter alia* contends that all the other co-accused of the petitioner, after facing trial have been discharged, therefore, no purpose would be served by sending him behind bars. Prior to declaration of petitioner as proclaimed offender, he already left the country, therefore the impugned order (Annexure P-1) being illegal is liable to be set aside.

Considering the absence of the petitioner even after publication of notice in vital newspaper 'The Tribune', the petitioner is

evading his presence, since December, 2005, by hiding himself out of the country, he does not deserve any leniency or sympathy from the Court. He is relegated to the trial Court permitting him to appear there within 15 days from today and on doing so, his bail application, if any, shall be decided within 7 days thereafter on merit.

It is, however, made clear that in case, the petitioner fails to do so, this petition shall automatically stands dismissed.

Disposed of.

January 30, 2019
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(RAMENDRA JAIN)
JUDGE

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