

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19904-2017

Date of decision: 29.01.2019

Jatinder Singh

... Petitioner

Vs.

State of Punjab and ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of direction to respondents No.1 to 3 to effect arrest of the proclaimed offenders in cross-case/DDR No.26 dated 12.12.2014 under Sections 302, 307, 324, 427, 506, 148, 149 IPC in FIR No.261 dated 12.12.2014 under Sections 302, 307, 324, 427, 506, 148, 149 IPC read with Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Lopoke, District Amritsar Rural.

As per averments taken in the petition, respondents No.4 & 5 are not performing their lawful duties and despite arrest of one of the proclaimed offender namely Gurjit Singh on 19.05.2017 by the Special Task Force officials and further produced before the trial Court by respondents No.4 & 5, out of total 10 accused in the aforesaid cross-version case, 05 accused namely Surjit Singh, Gurpreet Singh, Gurjit Singh, Joga Singh and Bhag Singh are yet to be

arrested.

Reply by way of affidavit of Deputy Superintendent of Police, Sub Division Ajnala, District Amritsar Rural is already on record and in this reply, it is stated that 05 accused were arrested on different dates and weapons of offence i.e. pistol 315 bore and rifles used in the commission of offence were recovered from them and challan qua Sahib Singh, Bawa Singh, Jaspal Singh, Makhtool Singh and Sardool Singh was presented on 13.03.2015 and the trial is pending before the Addl. Sessions Judge, Amritsar. It is also stated that after arrest of accused Gurjeet Singh @ Ladda, supplementary challan was presented, however, during the trial, he absented himself and was declared proclaimed offender. This accused was again arrested on 29.12.2017 and supplementary challan against him was presented on 19.01.2018.

It is further stated in the reply that remaining 04 accused could not be arrested and they have been declared proclaimed offenders by the trial Court in the cross-version case and the police is making all possible and strenuous efforts to arrest the said accused persons, by conducting raids and is keeping surveillance to arrest them. It is further stated that aforementioned Gurjit Singh escaped from the police custody and in this regard, FIR No.36 dated 20.03.2015 under Sections 223, 224, 225 IPC stands registered against him and the erring police officials and challan has been presented before the Illaqa Magistrate.

Considering the fact that it is stated in the aforesaid affidavit of DSP that police is taking strenuous efforts for arresting the proclaimed offenders and as and when they are arrested, supplementary challan against them will be submitted.

In view of the above, this petition is disposed of with a direction to

the respondents to take more effective steps for arresting the proclaimed offenders.

29.01.2019

vishnu

**[ARVIND SINGH SANGWAN]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No