

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

**CRM-M-30716-2017
Date of decision: 07.03.2019**

Dilpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- None for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of the FIR No. 293 dated 08.12.2013, under Sections 307, 427, 148, 149 of the IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station Beas, District Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom.

It is stated in the FIR that after completion of the investigation, the petitioner was found innocent as he was not present at the spot and had gone to a distant place for appearing in some test.

Reply, by way of affidavit of DSP, Sub Division Baba Bakala Sahib, Amritsar (Rural), is on record and as per the same, after the FIR was registered, the petitioner was declared a proclaimed offender, however, later on, on an application given by the father of the petitioner, namely Baldev, the SHO, Police Station Beas conducted an inquiry and the petitioner was found to be innocent and he was kept in Column No. 2. Thereafter, the supplementary challan under Section 173(8) Cr.P.C. was presented against

Pavitarpal Singh and Baljit Singh @ Balli. It is further stated in the reply that during the pendency of trial, after recording the statement of PW-Paramjit Kaur on 24.07.2015, the trial Court has summoned Jarnail Singh, Jatinderpal Singh, Sartaj Singh and Harjinder Singh under Section 319 Cr.P.C. and at present accused persons namely Baljinder Singh, Prabhjot Singh, Baljit Singh, Pavitarpal Singh, Jugraj Singh, Ranjit Singh, Jarnail Singh, Sartaj Singh, Jatinderpal Singh and Harjinder Singh are facing trial and 11 prosecution witnesses have been examined.

It is, thus, prayed since the petitioner was initially declared a proclaimed offender and thereafter, he was found to be innocent, the present FIR be quashed qua him.

Considering the fact that petitioner was kept in Column No. 2 and the challan was not filed against him and even when an application under Section 319 Cr.P.C. was moved, he was not summoned as an additional accused, I find no ground to quash the present FIR qua the petitioner.

Hence, the present petition is dismissed.

March 07, 2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No