

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 24722 of 2020 (O&M)

Date of decision : 16.10.2020

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Vishwas Bhandari

.....Petitioner

vs.

State of Punjab and another

.....Respondents

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

Present: Mr. Amit Dhawan Advocate for the petitioner.

Mr. H. S. Sullar, Deputy Advocate General, Punjab.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioner – Vishwas Bhandari, aged about 29 years, son of Naresh Bhandari, permanent resident of House No. 158, Scheme No.3, Shaheed Bhagat Singh Nagar, Phagwara, District Kapurthala, presently resident of Unit 7/43, Sergison Circuit, Rapid Creek Darwin 0810, Australia, by way of filing the present petition under Section 482 Cr.P.C. against State of Punjab – respondent No.1 and Rashmi Adhen w/o Mohanjit Singh - respondent No.2, prays for quashing of FIR No. 31 dated 27.1.2013, for offences under Sections

363, 366-A IPC, registered at Police Station Phillaur, District Jalandhar, and order dated 7.9.2018, passed by SDJM, Phillaur, vide which the petitioner has been declared as proclaimed offender.

The petitioner having been declared as proclaimed offender, way back more than 2 years, while residing abroad without submitting himself to the jurisdiction of this Court, is seeking quashing of the FIR and the order declaring him as proclaimed offender.

When learned counsel for the petitioner was asked as to how the petition is maintainable under such circumstances, he has sought help from judgments, *Sudo Mandal @ Diwarak Mandal vs. State of Punjab 2011 (2) RCR (Criminal) 453*; judgment dated 9.7.2019 passed by this Court in CRM-M-33746-2018 titled as *'Pardeep Kaur vs. State of Punjab and another'* and judgment dated 17.11.2014 passed by this Court in CRM-M-34811 of 2014 titled as *'Gurmeet Singh vs. State of Haryana'*.

However, I find that such judgments are not helpful to the petitioner due to different facts and circumstances and the petition is doomed for failure for the reason mentioned Supra.

Dismissed accordingly.

16.10.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No