

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

**CRM-M No.6505 of 2021
Date of Decision : 06.09.2021**

Raghbir Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Prateek Pandit, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

This petition has been filed for quashing of order dated 23.05.2013 (Annexure P-4) passed by Ld. Additional Sessions Judge, Kapurthala whereby the petitioner has been declared proclaimed offender in cross case registered vide report No.23 dated 02.10.2019, under Sections 452, 323, 324, 325, 326, 148 and 149 of the Indian Penal Code (offence under Section 452 IPC deleted later on) at Police Station Dhilwan, District Kapurthala (Annexure P-2) in F.I.R No.52, dated 02.10.2009, under Sections 307, 323, 324, 326, 148 and 149 of the Indian Penal Code (offence under Section 307 IPC deleted later on), registered at Police Station Dhilwan, District Kapurthala (Annexure P-1).

Notice of motion.

At the asking of the Court, Mr. B.S. Sewak, Addl. A.G., Punjab and Mr. Barjinder Singh, Advocate, accept notice on behalf of respondent No.1-State and respondent No.2, respectively.

In view of the fact that the proceedings arising out of the original FIR have already been quashed by this Court vide order of even

date passed in CRM-M No.4682 of 2021, contention of the proceedings any further would appear amount of an abuse of the process of law.

Consequently, the present petition is allowed after setting aside the impugned order dated 23.05.2013 (Annexure P-4) passed against the petitioner in cross case registered vide report No.23 dated 02.10.2019, under Sections 452, 323, 324, 325, 326, 148 and 149 of the Indian Penal Code (offence under Section 452 IPC deleted later on) at Police Station Dhilwan, District Kapurthala (Annexure P-2) in F.I.R No.52, dated 02.10.2009, under Sections 307, 323, 324, 326, 148 and 149 of the Indian Penal Code (offence under Section 307 IPC deleted later on), registered at Police Station Dhilwan, District Kapurthala (Annexure P-1).

06.09.2021

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**(SUDIP AHLUWALIA)
JUDGE**

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