

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

CRM-M-9783-2021

Date of decision : 23.04.2021

Karam Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. A.S. Brar, Advocate
for the petitioner.

HARNARESH SINGH GILL, J (ORAL)

Case is taken up for hearing through video conferencing.

Prayer is for quashing the order dated 13.06.2017 vide which the petitioner has been declared a proclaimed offender in case FIR No.134 dated 26.07.2011, registered under Sections 420, 465, 467, 468, 471 and 120-B of IPC at PS City Moga, District Moga.

Learned counsel for the petitioner states that the petitioner is a retired ASI and the presence of the petitioner was sought by learned Magistrate to record his statement as a prosecution witness. The petitioner appeared in the Court and had got recorded his statement and even was also cross-examined on 19.02.2018, but the P.O. order is still in the existential state.

Notice of motion.

On the asking of this Court, Mr. Avtar Singh Sandhu, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State.

The learned State counsel does not dispute the factum of the petitioner's having appeared before the trial Court and completion of his cross-examination.

I have heard the learned counsel for the parties.

The petitioner's presence was sought and secured by the trial Court as a witness. The said objective, as mentioned above, stands achieved. Therefore, the order declaring the petitioner as a proclaimed offender, loses its significance and, thus liable to be set aside.

In view of the above, the present petition is allowed and the order dated 13.06.2017 is quashed.

(HARNARESH SINGH GILL)
JUDGE

23.04.2021
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No