

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

CRM-M-40528 of 2020

DATE OF DECISION :- January 22, 2021

Gurpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. D.S. Malwai, Advocate for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

The case has been taken up through Video Conferencing.

By way of filing the present petition, petitioner Gurpreet Singh, aged about 29 years, son of Randhir Singh, resident of Loha Khera, Tehsil and District Sangrur, an accused in F.I.R No. 02 dated 5.1.2018 under Sections 307, 452, 341, 323, 506, 34 IPC registered with Police Station Longowal, District Sangrur seeks quashing of order dated 13.10.2018 passed by Chief Judicial Magistrate, Sangrur declaring him as a proclaimed offender.

As has been detailed in the last order dated 8.12.2020 this Court in case titled 'Mehnga Singh versus State of Punjab 2002(1) CLJ (Criminal) 302' has observed that when an accused has been declared as a proclaimed offender petition against the order under Section 482 Cr.P.C. is not maintainable, the accused should first move the Court who had declared him a proclaimed offender and even an objection against validity of

proclamation is required to be raised in the first instance before the Court which issued the proclamation and power under Section 482 Cr.P.C. is not to be exercised in favour of a person who is absconding or avoiding service.

Learned counsel for the petitioner could not convince me with regard to maintainability of the present petition, therefore, the same stands dismissed.

(H.S. MADAAN)
JUDGE

January 22, 2021
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No