

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-11282-2022 (O & M)

Date of decision: 06.12.2022

Balour Singh and anr.

... Petitioners

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Yagyaang, Advocate,
for Mr. Rishabh Gupta, Advocate,
for the petitioners.

Ms. Ramta Chaudhary, DAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the impugned order dated 05.12.2013 (Annexure P-5) vide which Balour Singh (petitioner No.1) was declared a proclaimed offender and order dated 15.02.2019 (Annexure P-9) vide which Paramjit Kaur (petitioner No.2) was declared a proclaimed offender.

2. The learned counsel for the petitioners contends that the FIR came to be registered on 23.04.2013 and much prior to that, petitioner No.1-Balour Singh was in London since 24.01.2011 and petitioner No.2-Paramjit Kaur was also residing there since 02.11.2010. He contends that the FIR in question in which impugned orders 05.12.2013 (Annexure P-5) and 15.02.2019 (Annexure P-9) have been passed already stands quashed vide order dated 21.04.2022 in CRM-M-15241-2022. He, thus, contends that the impugned orders 05.12.2013 (Annexure P-5) and 15.02.2019 (Annexure P-9) be quashed in view of the peculiar facts and circumstances of the case.

3. The learned counsel for the State, on the other hand, does not

the fact that the petitioners were residing abroad prior to the registration of the FIR.

4. I have heard the learned counsel for the parties.

5. In the present case, FIR No. 79 dated 23.04.2013 registered under Sections 420, 120-B IPC and Section 24 of the Immigration Act at Police station Sadar Jagraon, District Ludhiana and all other subsequent proceedings arising therefrom stand quashed vide order dated 21.04.2022 passed by a Co-ordinate Bench of this Court in CRM-M-15241-2022.

6. Therefore, it would be a futile exercise to keep alive the proceedings emanating from the orders dated 05.12.2013 (Annexure P-5) and 15.02.2019 (Annexure P-9) as the said orders were passed in the proceedings of FIR No.79 dated 23.04.2013 registered under Sections 420, 120-B IPC and Section 24 of the Immigration Act at Police Station Sadar Jagraon, District Ludhiana .

6. In view of the aforesaid discussion, the present petition is allowed and the impugned orders dated 05.12.2013 (Annexure P-5) and 15.02.2019 (Annexure P-9) passed by the Trial Court in FIR No. 79 dated 23.04.2013 registered under Sections 420, 120-B IPC and Section 24 of the Immigration Act at Police Station Sadar Jagraon, District Ludhiana and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

December 06, 2022
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No