

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

278

CRM-M-44131-2020 (O & M)

Date of Decision:24.05.2022

BALBIR RAM

...PETITIONER

VERSUS

U.T. CHANDIGARH AND ANR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: None for the petitioner.

Mr. J.S. Toor, APP, UT, Chandigarh.

SUVIR SEHGAL, J.(ORAL)

Instant petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.99 dated 22.03.2001 under Sections 363 and 366 of IPC, 1860, registered at Police Station Sector 11, Chandigarh, Annexure P-1, alongwith all subsequent proceedings arising therefrom, on the basis of compromise/clarification dated 24.09.2020, Annexure P-2, arrived at between the parties.

Report has been received from the trial court in compliance of order dated 05.01.2021 passed by this Court. Perusal of the report shows that the petitioner, Balbir Ram, was declared as a Proclaimed Offender vide order dated 10.05.2006 and co-accused, Amarjit Kumar, who faced the trial, was acquitted on 30.04.2007.

Instant petition has been filed by appending a note to the petition that the petitioner is not a Proclaimed Offender. The petitioner has suppressed material fact regarding his antecedents from this Court. Discretionary power cannot be exercised in favour of a person, is an absconder, has been evading the process of law and has not approached the Court with clean hands.

Petition is dismissed.

24.05.2022

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**(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No