

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

**CRM-M-18848-2018
DECIDED ON:09.05.2023**

AMAN KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sandeep, Advocate for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

Mr. Karan Dhawan, Advocate with
Mr. B.S. Jawal, Advocate for respondent No.2.

SANDEEP MOUDGIL, J (ORAL)

1. This is a petition under Section 482 of Cr.P.C., for quashing of FIR No.192 dated 15.08.2014 under Section 420 of IPC, 1860, registered at Police Station Beas, District Amritsar.

2. Reply on behalf of respondents No.1 & 2 have been filed and the pleadings are complete.

3. Today, Mr. Sandeep, Advocate has put in appearance on behalf of the petitioner as the earlier counsel Mr. Amritpal S Sahel has recently joined the Superior Judicial Services, Haryana.

4. Learned counsel for the respondent No.2 has produced a copy of the order dated 03.01.2023 as well as 13.12.2021, which have also been

supplied to the counsel for the petitioner, who has gone through the same, though, seeks time to put it a cross to the respondent No.2 for verification, which is not acceptable of this Court.

5. A perusal of the said order dated 13.12.2021 indicates that the accused has not come present and no body represented on his behalf before the Court of Judicial Magistrate Ist Class, Baba Bakala and notice to the accused was issued for 14.03.2022. Since, then the petitioner was not appearing before the trial Court either himself in person or through any authorized representative person. Accordingly, vide order dated 03.01.2023, the petitioner was declared proclaimed person and file was consigned to record room.

6. At this stage, learned State counsel has also produced a copy of the reply by way of an affidavit dated 09.05.2023 of Harkrishan Singh, PPS, Deputy Superintendent of Police, Sub Division Baba Bakala Sahib, Amritsar (Rural), which is taken on record.

7. Para 2 of the said reply shows that the present petition is legally not maintainable as the petitioner has been absconded deliberately during the trial, who has been declared proclaimed person vide order dated 03.01.2023.

8. In the light of the stand taken by the State-respondent No.1 by way of an affidavit, this Court is left with no doubt with regard to the veracity of the judicial orders dated 03.01.2023.

9. Considering the said submissions made by the respondent No.1-State as well as counsel for the complainant, this Court is of the firm view that the instant petition is not maintainable and does not survive any further for quashing of the FIR, wherein the the petitioner has been declared proclaimed

person and is not entitled for any relief before this Court whatsoever.

10. Petition stands dismissed being devoid of merits.

09.05.2023
Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>