

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206-CRM-M-23160-2022

Date of Decision: 01.05.2023

RAJWINDER SINGH @ BUNTY

... Petitioner

VS.

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Amaninder Singh, Advocate for the petitioner

Mr. Mohit Chaudhary, AAG Punjab

Sandeep Moudgil, J. (Oral)

The prayer in this petition is for quashing of the order dated 07.05.2022 (Annexure P5) passed by SDJM, Baghapurana vide which the petitioner has been declared proclaimed person and other directions have been issued in FIR No.191 dated 01.12.2020 under Sections 336/452/427/506/148/149 IPC and Sections 25/27/54/59 of Arms Act, registered at Police Station Baghapurana, District Moga.

Learned State counsel has submitted that cancellation report in the instant FIR has been filed and accepted by the trial court, as is evident from the order dated 13.08.2022 produced by him in Court, which is taken on record.

Since FIR itself has been cancelled vide order dated 13.08.2022, the continuation of the proclamation proceedings in pursuance of the order dated 07.05.2022 passed by SDJM, Baghapurana would tantamount to nothing else, but an abuse of process of law.

In view of the above, the order dated 07.05.2022 passed by SDJM, Baghapurana vide which the petitioner has been declared PO along with subsequent proceedings, is hereby quashed.

Disposed of.

01.05.2023

V.Vishal

(Sandeep Moudgil)
Judge

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No