

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

130

CRM-M-26285-2023

Date of Decision: 29.05.2023

Sukhwinder Singh

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Sunil Agnihotri, Advocate
for the petitioner.

Mr.J.S.Bhandari, AAG, Punjab.

SANJEEV PRAKASH SHARMA, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of proclamation order dated 12.07.2019 passed by learned JMIC, Dasuya, District Hoshiarpur in FIR No.267 dated 28.10.2015 under Section 406, 498-A IPC, registered at Police Station Tanda, Distrit Hoshiarpur, and all subsequent proceedings arising therefrom, on the basis of compromise.

Learned counsel for petitioner submits that the petitioner had entered into a compromise and have left for Australia and with an understanding that now no further proceedings would continue against him. However, as the FIR registered in the year 2015 remained pending, he had been declared proclaimed offender. Learned counsel for the petitioner further submits that the provisions for declaring a person as a proclaimed offender have not been followed.

Learned State counsel submits that the petitioner was having full knowledge about the pendency of the FIR and he should have taken all

steps for appearing before the concerned Court.

I have considered the submissions made by the counsel for the petitioner and learned State counsel and taking into consideration facts of the case and also that there is a compromise arrived at between the parties for which a separate petition has been filed for seeking quashing of the proceedings, this Court deems it appropriate to allow the petitioner to submit the appropriate application before the concerned Court under Section 71 Cr.P.C. for getting his attendance before the Court in the concerned case. If such an application is moved, the concerned Court may take appropriate steps for converting the warrants into bailable warrants and allow the petitioner to participate before it. The petitioner shall not be arrested in the meanwhile.

Accordingly, this petition stands disposed of.

29.05.2023

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(SANJEEV PRAKASH SHARMA)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No