

112 2023:PHHC:093683
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35605-2023
Date of Decision: 25.07.2023

Surinder Kumar

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. S.K. Singla, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 482 of the Code of Criminal Procedure for directing respondent Nos. 1 to 4 to arrest and produce respondent No.5 before the Court in compliance to order dated 20.07.2017 (Annexure P-5) and order dated 26.10.2017 (Annexure P-6) passed by learned JMIC, Sunam.

Learned counsel for the petitioner has submitted that vide Annexure P-5 the petitioner was declared as proclaimed offender in a complaint under Section 138 of the Negotiable Instruments Act, 1881 in the year 2017 and the police is not arresting respondent No.5 and a direction may be issued to the police to arrest him.

I have heard the learned counsel for the petitioner.

Respondent No.5 has already been declared as proclaimed offender as he could not be arrested at that point of time. The petitioner is seeking to invoke the extra ordinary jurisdiction of this Court under Section

482 Cr.P.C for seeking direction to arrest which according to this Court is not maintainable. The petitioner is always at liberty to move an appropriate application in accordance with law either to the concerned Court or to the police in this regard.

In view of the above, the present petition is hereby dismissed.

25.07.2023

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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