

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

CRM-M-38801-2023
Date of Decision:16.08.2023

Harbans Singh

. . . . Petitioner

Vs.

State of Haryana

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Pawan Attri, Advocates, for the petitioner.

DEEPAK GUPTA, J.

Prayer in this petition is to quash order dated 12.02.2014 (Annexure P1), whereby petitioner had been declared proclaimed person and the subsequent proceedings arising therefrom in case FIR No.96 dated 04.04.2011 registered at Police Station Pehowa, District Kurukshetra under Sections 279, 337 and 427 IPC (Sections 338 and 304-A IPC added later on).

2. It is contended by Id. Counsel that FIR was registered against the petitioner, in which he had been granted bail. However, before presentation of the challan, petitioner went abroad and could not appear before the trial Court, due to which his bail was cancelled. He was neither served with any summons/warrants of arrest nor any attempt was made to serve him abroad and ultimately, he was declared proclaimed person on 12.02.2014. Id. Counsel contends further that petitioner is ready to join investigation and so, the impugned order be quashed.

3. On advance notice, Id. State counsel appears and submits that when the petitioner was allowed bail by the police, he had furnished bail

bonds, in which he had provided his local address. Ld. State counsel further submits that petitioner neither informed the police nor obtained any permission from the trial Court before going abroad. Petitioner was well aware about the proceedings against him, as he had been allowed bail in the case of accidental death.

4. The aforesaid facts and circumstances clearly show that petitioner himself is at fault in not providing his changed address to the police after furnishing bonds. He left the country without any permission from the Court. In these circumstances, he cannot be allowed to take benefit of the fact that proclamation was not issued at the address, where he had gone abroad.

5. It is a well settled law as enunciated by Hon'ble Supreme Court in *Prem Shankar Prasad Vs. The State of Bihar and another* (Criminal Appeal No.1209 of 2021, decided on 21.10.2021) (LL 2021SC 579) that a person, who has been declared a proclaimed person, is not entitled for any relief.

6. No ground for quashing the impugned order is made out.

Dismissed.

(DEEPAK GUPTA)
JUDGE

16.08.2023

Vivek

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No