



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

253A

**CRM-M No.2477 of 2024
Date of decision : 29.5.2024**

Sardool Singh

.....**Petitioner**

Versus

State of Punjab and another

.....**Respondents**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Nitin Mittoo, Advocate, for the petitioners

Mr. Jaspal Singh Guru, AAG, Punjab

Mr. Ankush Sharma, Advocate, for respondent no.2

SANDEEP MOUDGIL, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing the order dated 11.12.2023 (Annexure P-1) passed by Judicial Magistrate Ist Class, Phagwara, in FIR No.14 dated 3.4.2022, under Sections 379, 427, 201 and 506 of the Indian Penal Code, 1860, registered at Police Station Rawalpindi, Phagwara (Annexure P-1), vide which the petitioner was declared as proclaimed offender.

2. Learned counsel for the petitioner contends that the proclamation order dated 11.12.2023 is totally unwarranted to law since challan was not presented qua the present petitioner and in the absence of filing of the challan, it is not possible for the petitioner to appear before the Court and he cannot be declared proclaimed offender by way of any means whatsoever.



3. Moreover, the parties involved in the FIR including the present petitioner, have entered into a compromise and got recorded their statements to that effect before the Illaqua Magistrate in the Court on 20.2.2024 in CRM-M No.2370 of 2024 titled *Avtar Singh and others v. State of Punjab and another*.
4. In the light of above, continuation of such proceedings which are otherwise also illegal, vitiated by process of law.
5. Hence, the order dated 11.12.2023 (Annexure P-1) stands quashed.
8. The present petition is hereby allowed.

(SANDEEP MOUDGIL)
JUDGE

29.5.2024
Ashwani

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