



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-7773-2024

Date of Decision:-20.05.2024

Budh Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Karanjeet Singh Brar, Advocate for the Petitioner.

Ms. Ramta K Chaudhary, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 482 Cr.PC is for quashing of the order dated 16.10.2023 (Annexure P-3) passed by JMIC, Faridkot whereby the petitioner has been declared a proclaimed offender in case FIR No.124 dated 17.08.2021 under Sections 302, 307, 341, 427, 506, 148, 149, 120-B IPC and Sections 25 & 27 of Arms Act registered P.S. Sadar Kotkapura, District Faridkot.

2. The brief facts of the case are that the aforesaid FIR came to be registered against three persons. During the course of the investigation, Sukhvir Singh @ Sukhi was arrested and disclosed the name of the present petitioner. As the petitioner did not appear before the investigating agency, he was declared a proclaimed offender vide order dated 16.10.2023 (Annexure P-3).

3. The order dated 16.10.2023 (Annexure P-3) is under challenge in the present petition.

4. The counsel for the petitioner contends that the petitioner was not named in the FIR but came to be nominated as accused on the basis of the disclosure statement of his co-accused. Therefore, he was unaware of



the proceedings emanating out of the FIR. He had been declared proclaimed offender without complying with the provisions of Section 82 Cr.PC. Therefore, the impugned order whereby the petitioner was declared a proclaimed offender was liable to be quashed.

5. The Counsel for the State has filed status report by way of affidavit of Mr. Jatinder Singh, PPS, Deputy Superintendent of Police, Kotkapura, District Faridkot in the court today, which is taken on record. While referring to the said status report he contends that the petitioner was nominated as an accused on the basis of the statement of his co-accused. After due compliance of Section 82 Cr.PC he was declared a proclaimed offender on 16.10.2023. Therefore, the present petition was liable to be dismissed.

6. I have heard the learned counsel for the parties.

7. A perusal of the record would reveal that the statement of Constable Jaskaran Singh, 421/FDK P.S. Sadar Kotkapura was recorded as per which he had gone to the residence of the petitioner and had pasted one copy of the proclamation on the main gate of his house and one copy at the bus stand at Shahkot along with a copy on the notice board of the Court. Therefore, there is sufficient compliance of Section 82 Cr.PC and no fault can be found with the impugned order.

8. In view of the above, I find no merit in the present petition and the same stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

May 20, 2024

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