

2024:PHHC:066172

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

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**CRM-M-16903-2024 (O&M)
Date of Decision: 10.05.2024**

PARWINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Harmanpreet Singh, Advocate
for the petitioner.

HARPREET KAUR JEEWAN, J.

1. The present petition under Section 482 Cr.P.C. has been filed for quashing of the order dated 06.01.2022 (Annexure P-7), whereby the petitioner has been declared proclaimed offender by the Judicial Magistrate 1st Class, Batala, Gurdaspur in FIR No.113 dated 19.08.2019 registered under Sections 363, 366-A, 376, 506 IPC and Sections 4 and 8 of the POCSO Act, 2012 at Police Station Sadar Batala, District Batala.
2. Notice of motion.
3. On the asking of the Court, Ms. Himani Arora, AAG, Punjab accepts notice on behalf of the respondent-State.
4. Short reply by way of an affidavit of Khushbir Kaur, Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala has been filed on behalf of the respondent-State, which is taken on record.
5. Keeping in view the contentions mentioned in para No.12 of the status report that first bail application of the petitioner was dismissed as

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withdrawn vide order dated 21.11.2019 by the learned Additional Sessions Judge, Amritsar and second bail application was dismissed on merits vide order dated 06.12.2019 by the said Court, I am of the considered opinion that the petitioner was aware about the pendency of the present FIR.

6. The offence alleged to have been committed by the petitioner is against a Child Victim under Section 4 of the POCSO Act, 2012. The FIR is of the year 2019. After dismissal of the second bail application on merits on 06.12.2019, the present petition has been filed on 04.04.2024 and there is no explanation for such a delay in filing the present petition.

7. In view of the above, no ground is made out for setting aside the order dated 06.01.2022 (Annexure P-7) passed by the Judicial Magistrate 1st Class, Batala, Gurdaspur.

8. Consequently, the present petition is dismissed.

9. All pending miscellaneous application(s), if any, stands disposed of.

**(HARPREET KAUR JEEWAN)
JUDGE**

10.05.2024
P.Bhatt

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