

2024.PHHC.151254



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

266

CWP-11285-2024

Date of Decision: 19.11.2024

AMIT JOSHIE

... Petitioner

VERSUS

UNION OF INDIA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Kshitiz Ahuja and Mr. Kapil Chaudhary,
Advocates for the petitioner.
Mr. Satya Pal Jain, Addl. Solicitor General of India with
Ms. Saigeeta Srivastava, Advocate for respondents No.1 and 2.
Mr. Suneel Ranga, DAG, Haryana for respondents No.3 and 4.
Mr. Umesh Pandey, Advocate for respondent No.5.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the Look Out Circular
(LOC) dated 26.08.2021 issued against the petitioner.

Learned Addl. Solicitor General of India appearing on behalf of
respondents No.1 and 2 as well as learned counsel appearing on behalf of
respondent No.5 have submitted that they have no objection to the Look Out
Circular (LOC) dated 26.08.2021 being withdrawn or quashed.

Learned State Counsel has made a futile attempt to defend the
order dated 26.08.2021, however, he has been confronted with the order dated
26.04.2023 passed by a Co-ordinate Bench of this Court in CRM-M-48675-
2022, wherein the learned State Counsel has specifically made a statement that
the petitioner has already joined the investigation and that the Investigating
Agency does not require the petitioner any longer for the said purpose.

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Learned State Counsel has, however, prayed for some more time to complete instructions in the matter, but in view of the factual position noticed above, I find that such an adjournment is not likely to serve any purpose considering the aforesaid statement made on behalf of the State before a Coordinate Bench of this Court in CRM-M-48675-2022. It is also not the case of the State Counsel that the petitioner is required in any other case.

Issuing of Look Out Circular (LOC) is perpetuated by an apprehension regarding an accused not cooperating in the investigation or absconding from the process of law. Once the respondent-State has itself got recorded the statement that the petitioner has already joined the investigation and is not required any more for the same, and even the final report has also been filed, the basis of issuance of Look Out Circular dated 26.08.2021 does not survive any further.

In the facts and circumstances, the present writ petition deserves to be allowed.

Ordered accordingly.

Resultantly, the Look Out Circular dated 26.08.2021 issued against the petitioner is hereby quashed. The petitioner shall, however, not leave the country without obtaining prior permission of the Competent Authority/Court in accordance with law.

NOVEMBER 19, 2024.*rajender***(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No