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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39913-2024 (O & M)
Date of Decision: 20.08.2024

Baj Singh Sidhu
... Petitioner(s)
Versus
State of Punjab
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI
Present: Mr. B.S. Aulakh, Advocate,
for the petitioner.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the order dated 23.10.2017 (Annexure P-4) vide which the petitioner has been declared a proclaimed offender/absconder in FIR No.15 dated 30.01.2016 under Sections 420, 465 and 467 IPC, Police Station Phase-I, SAS Nagar (Mohali).

2. The learned counsel for the petitioner contends that the impugned order (Annexure P-4) has been passed without following the procedure envisaged under Section 82 Cr.P.C. In fact, the petitioner was granted the concession of anticipatory bail by this Court vide order dated 26.04.2016 (Annexure P-2) passed in CRM-M-7499-2016 but could not appear before the Trial Court on account of the other FIRs registered against him. The co-accused of the petitioner had faced Trial and was convicted vide a judgment dated 08.05.2024 (Annexure P-3). As the



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petitioner was ready and willing to join the proceedings, the impugned order (Annexure P-4) was liable to be quashed.

3. I have heard the learned counsel for the petitioner.

4. Admittedly, FIR No.15 under Sections 420, 465 and 467 IPC, Police Station Phase-I, SAS Nagar (Mohali) was registered on 30.01.2016. The petitioner was granted the concession of anticipatory bail vide order dated 26.04.2016 (Annexure P-2). However, as he did not put appearance before the Trial Court, he was declared a proclaimed offender/absconder vide impugned order dated 23.10.2017 (Annexure P-4). His co-accused/Sukhvir Singh faced Trial and was convicted vide judgment dated 08.05.2024 (Annexure P-3). There is nothing on record to suggest that the procedure envisaged under Section 82 Cr.P.C. was not followed prior to the passing of the impugned order. In fact, it is the pleaded case of the petitioner that he was unable to appear before the Trial Court as there were other cases registered against him in which he was apprehending his arrest. Therefore, he is a willful absconder from justice and does not deserve any sympathy from this Court.

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

(JASJIT SINGH BEDI)
JUDGE

August 20, 2024
sukhpreet

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No