

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

CRM-M-43634-2023(O&M)

Date of Decision:-07.02.2024

Bikramjit Singh Sran @ Vicky Singh.

.....Petitioner.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. A.S. Barnala, Advocate for the Petitioner.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the present petition under Section 482 Cr.PC is for quashing of the order dated 16.01.2023 (Annexure P-4) passed by JMIC, Barnala vide which the petitioner has been declared a proclaimed person in FIR No.59 dated 11.05.2020 (Annexure P-1) under Sections 341, 323, 506, 148, 149 IPC registered at P.S. Dhanaula, District Barnala on account of a compromise having been arrived at between the parties in furtherance of which the proceedings qua the co-accused stands quashed vide order dated 28.07.2023 (Annexure P-2).

2. The brief facts of the case are that FIR No.59 dated 11.05.2020 under Sections 341, 323, 506, 148, 149 IPC PS Dhanaula, District Barnala came to be registered against the petitioner and his co-accused. The copy of the FIR is attached as Annexure P-1. The petitioner surrendered, was granted bail and subsequently absconded leading to the passing of the impugned order dated 16.01.2023 (Annexure P-4) declaring him a proclaimed person. Meanwhile a compromise was arrived at between the co-accused of the petitioner and the complainant and the FIR qua the co-accused stood quashed vide order dated 28.07.2023 (Annexure P-2).

A similar compromise was arrived at with the petitioner on 03.03.2023 (Annexure P-3).

3.

The Counsel for the Petitioner contends that the order dated 16.01.2023 (Annexure P-4) vide which the petitioner had been declared a proclaimed person was liable to be quashed as his co-accused had filed a quashing petition bearing CRM-M-8398-2023 on the basis of a compromise which came to be allowed vide order dated 28.07.22023 (Annexure P-2).
4.

I have heard Counsel for the petitioner.
5.

A perusal of the file would reveal that the petitioner sought multiple opportunities to argue the matter on one pretext or the other. On 23.01.2024 the counsel for the petitioner was asked to seek instructions from the petitioner as to when he intended to come back to India. Today, the counsel for the petitioner has informed the court that the petitioner did not intend to return back for further proceedings. Once the petitioner does not wish to come back to India, it is apparent that the present petition has been filed with an oblique motive to procure an interim order and then delay the proceedings on one pretext or the other. Even if the order Annexure P-4 was quashed, the petitioner would not return back to avail his remedies in accordance with law which could also include quashing of the FIR qua him based on a compromise.
6.

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

(JASJIT SINGH BEDI)

JUDGE

February 07, 2023

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