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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 802/2023, CRL.M.A. 3044/2023**

SANDEEP SINGH

..... Petitioner

Through: Mr. Jaspreet Rai, Mr. Devinder Singh
and Mr. Satvinder Singh, Advocates.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Aashneet Singh, APP for State
with Insp. Ramvir Singh, P.S. IGI
Airport.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

25.04.2024

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1. By way of present petition, filed under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 0375/2019 registered under Sections 420/468/471/120B IPC and Section 12 of the Passport Act at P.S. IGI Airport as well as order dated 23.11.2021 vide which petitioner was declared Proclaimed Offender.

2. Learned counsel for the petitioner contends that the petitioner is a resident of Spain and has been falsely implicated in the present proceedings merely on disclosure of another co-accused. However, at present, the only grievance made is qua the proceedings under section 82 Cr.P.C. that have been initiated against him. He further submits that as per provisions of Section 82(4) Cr.P.C., the petitioner does not fall within the purview of the offences listed therein and could have been only declared as a 'proclaimed person'. He further submits that a perusal of record would show that when the alleged notices were attempted to be served on the petitioner, he was



staying out of the country. Learned counsel further states that petitioner thereafter, has come back to India and also joined the investigation.

3. Mr. Singh, learned APP for the State confirms the same and submits that now, the charge-sheet has been filed and since no material was found against the present petitioner, his name has been kept in Column 12. He submits that further proceedings are pending before the Trial Court.

4. Considering the aforesaid facts and the further fact that admittedly, the petitioner has already joined the investigation, the impugned order dated 23.11.2021 is set aside.

5. Petition alongwith miscellaneous is disposed of in the above terms.

6. Copy of the order be communicated to the concerned Trial Court.

MANOJ KUMAR OHRI, J

APRIL 25, 2024

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