



CRM-M-2299-2024

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

213-2

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Decided on: 18.03.2025

Sukhpreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J.

1. Present petition has been filed under Section 482 Cr.P.C., seeking quashing of the order dated 18.11.2021 (P-3), whereby petitioner has been declared as proclaimed offender in case FIR No.20 dated 22.02.2020, under Sections 365, 307, 397, 34 IPC and Sections 25 and 27 of Arms Act (Sections 379-B, 392 IPC were added lateron), registered at Police Station Chattiwind, District Amritsar Rural.

2. On 16.01.2024 following order was passed:-

“ Challenge is to the order dated 18th of November, 2021 passed by the JMIC, Amritsar whereby the petitioner has been declared as Proclaimed Offender in case FIR No.20 dated 22d of February, 2020 registered for the offences punishable under Sections 365, 307, 397, 34 IPC, 1860 (offence under Sections 379-B, 392 IPC added later on) and Sections 25, 27 of Arms Act, 1959 at Police Station Chattiwind, District Amritsar Rural.

Counsel for the petitioner inter alia submits that the FIR was registered on 22nd of February, 2020 against unknown persons. Just after three days i.e. on 25th of February, 2020 the petitioner went abroad. Passport of the petitioner has been placed on record to demonstrate the same. It is thus submitted that all the proceedings were effectuated at the back of the



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petitioner and there was nothing on record for the Court to record satisfaction that the petitioner was evading the process. Yet the proceedings under Section 82 Cr.P.C. were initiated. He further submits that even the proceedings under Section 82 Cr.P.C., are in the teeth of bare provisions. On 11th of August, 2021 the petitioner was ordered to be summoned through publication for 28th of September, 2021. On 28th of September, 2021 the matter was adjourned to await the appearance for 18th of November, 2021 and on 18th of November, 2021, the petitioner was declared Proclaimed Offender. Meaning thereby that despite there being no proclamation or notice to the petitioner for 18th of November, 2021 the petitioner has been declared Proclaimed Officer. He further submits that the petitioner is ready to come and face trial.

Issue notice of motion returnable for 29th of February, 2024.

Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of respondent/State.

Petitioner is granted time till 19 of February, 2024 to appear before the Trial Court.

Subject to the petitioner appearing before the Trial Court, operation of the impugned order dated 18th of November, 2021 shall remain in abeyance. ”

3. Learned counsel for the petitioner submits that during the pendency of the present petition and also in pursuance to the order dated 16.01.2024 (*ibid*), petitioner has already appeared before learned trial Court and has joined the proceedings. Counsel also submits that virtually the order dated 18.11.2021, declaring the petitioner as proclaimed offender has become redundant for all other purposes, therefore, present petition do not require any adjudication.

4. Ordered accordingly.

5. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

March 18, 2025
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Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO