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

CWP-8898-2025

Date of Decision : **15.07.2025**

JEEWENJOT SINGH BADESHA

.....Petitioner

VERSUS

UNION OF INDIA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Abhinav Sood, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Ms. Saigeeta Srivastava, Advocate,
for respondents no.1, 5 and 6-UOI.

Mr. Karunesh Kaushik, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a challenge is thrown to the Look Out Circular (LOC), issued against the present petitioner, in case FIR No.21, dated 12.03.2023, under Sections 379-B, 427, and 341 of the IPC, at Police Station Nihal Singh Wala (Annexure P-2).

2. The aforesaid FIR was registered in the year 2023, and since the petitioner was evading his arrest, an LOC was issued against him on the recommendations/instructions of the State Government.

3. This Court on dated 08.04.2025, after hearing learned counsel for the parties, had passed the hereinafter extracted order:-



“Today, a status report, dated 07.04.2025, by way of an affidavit of Sh.Anwar Ali, DSP, Nihal Singh Wala, Moga, has been filed, by the learned State counsel, in Court, which is taken on record, with a copy thereof supplied to learned counsel opposite.

The petitioner has approached this Court seeking cancellation of a Look Out Circular (hereinafter referred to as 'LOC'), issued against him on account of registration of an FIR bearing No.21, dated 12.03.2023, under Sections 379-B, 427 and 341 of the IPC, at Police Station Nihal Singh Wala (Annexure P-2).

The aforesaid FIR was registered way back on 12.03.2023 against the present petitioner and other co-accused. Since the petitioner was evading his arrest in the FIR (supra), and at present living in Canada, the prosecution agency, in order to bring the petitioner within the clutches of law got issued a LOC, requesting Government of India.

During the pendency of the investigation in the FIR(supra), on the basis of a supplementary statement, the petitioner was nominated as an accused in instant matter, vide DDR bearing No.23, dated 16.03.2023.

Learned counsel for the petitioner submits that the FIR (supra) is a result of mischief, and he is not involved in any crime as narrated in the instant FIR, at all. The petitioner on account of the LOC issued against him, is not in a position to come back to India, and to avail the legal remedy, as available to him, as per law, including anticipatory bail.

He further submits that the petitioner is ready and willing to join the proceedings in the instant FIR, as he does not intend to run from the clutches of law, and has all respect for the law of India.

He finally submits that, at this stage, he only wants that the LOC issued against the petitioner may be kept in abeyance for two months, enabling him to come back to India and to avail remedy, as available to him, as per law.

Learned Additional Solicitor General of India, as well as learned State counsel opposed the asked for relief to the present petitioner.

Learned State counsel submits that the co-accused, who has been granted the relief of regular in the instant FIR, has already fled to Canada, and subsequently, he has been declared as a proclaimed offender. Further, the relief may not be granted to the present petitioner, against whom already a LOC has been issued.

This Court is of the considered view that the prayer, as made by learned counsel for the petitioner is bona fide, as the petitioner is ready and willing to come back to India, to join the investigation in the instant FIR, therefore, in order to check his bona fide, and as an interim measure directs respondent no.1 and 5, to keep the LOC issued against the petitioner in abeyance, from 09.04.2025 till 10.06.2025.

The status of the present petitioner is also ordered to be updated on the official website of the department concerned.

The SSP, Moga (respondent no.2), is also directed to communicate a copy of this order to respondents no.1 and 5.



It goes without saying that no request for further extension of time to the present petitioner, shall be entertained on any ground, whatsoever. Adjourned to 15.07.2025.”

4. The above extracted order makes it clear that the NOC issued against the present petitioner was ordered to be kept in abeyance for two months only (i.e. from 09.04.2025 till 10.06.2025) enabling him to return to India, and thereupon join investigation/trial in the FIR (*supra*) registered against him.

5. This Court had showed its indulgence only on an undertaking given by learned counsel for the petitioner that the petitioner is ready and willing to join the investigation/proceedings in the FIR (*supra*).

6. Today, during the course of arguments, learned counsel for the petitioner informs this Court that the petitioner had returned to India, and he was granted anticipatory bail by a co-ordinate bench of this Court vide order dated 12.05.2025, passed in CRM-M-22879-2025, and in pursuance thereof, the petitioner appeared before Sub-Divisional Judicial Magistrate, Nihal Singh Wala, and thereupon, he was released on interim bail till the next date of hearing, on furnishing bail bonds in the sum of Rs.80,000/- with one surety in the like amount, vide order dated 28.05.2025. Now the said petition is pending before this Court for 17.07.2025.

7. Learned counsel for the petitioner although made an attempt to challenge the legality of the LOC issued against him, however, when this Court, put a specific query to him, as to whether, the petitioner is



ready to deposit his passport with the trial court concerned, till the conclusion of the trial with the condition that he would leave the country only with the prior permission of trial court concerned, he informs this Court that the petitioner has already left the country, after having been released on interim bail, specifically, when the LOC was ordered to be kept in abeyance by this Court vide order (*supra*), for two months.

8. In view of the above factual position, this Court finds that the conduct of the petitioner needs to be deprecated. Earlier, the LOC was issued as the petitioner was running away from the clutches of law, which was kept in abeyance for two months, and now after taking interim bail from this Court vide order (*supra*), without informing either to this Court or the investigating agency or the trial court concerned, again flew to Canada. This clearly shows that the LOC was rightly issued against the present petitioner being a man of flight risk, therefore, this Court does not find any merits, so as to, quash the LOC, issued against him. Consequently, the instant petition is, hereby, **dismissed**.

9. Considering the aforesaid conduct of the present petitioner, this Court burdens him with a cost of Rs.50,000/-, to be deposited with the District Legal Services Authority concerned.

July 15, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No