

2025:PHHC:163420



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

**207**

**CRM-M-46088-2024**  
**Date of Decision: 21.11.2025**

**JAGJIT SINGH ALIAS JAGJIT SINGH DEOL**

... Petitioner

**VERSUS**

**STATE OF PUNJAB**

... Respondents

**CORAM: HON'BLE MR. JUSTICE H.S. GREWAL.**

**\*\*\*\***

Present: Mr. Amandeep Singh Rai and Ms. Sunaina Rani,  
Advocates for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

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**H.S. GREWAL, J. (ORAL)**

This petition has been filed under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 seeking quashing of FIR No.14 dated 20.02.2020 under Section 174-A IPC, registered at Police Station Mehal Kalan, District Barnala alongwith all consequential proceedings.

Learned counsel for the petitioner contends that initially an FIR No.55 dated 11.10.2001 under Sections 323, 324, 427 and 506 of IPC was registered against the petitioner at Police Station Mehal Kalan, District Barnala. During the investigation of the said FIR, he was declared innocent by the police and was kept in column No.2. Thereafter, he went to Canada and never came back. The trial of the case continued qua other accused persons before the trial Court, however, he did not know about the proceedings since he was in Canada. When he came back to India, he came to know that vide order dated 06.12.2004, the trial Court had summoned him as an additional accused on the basis of an

application filed by the complainant under Section 319 of Cr.P.C. Since he was in Canada, his presence could not be secured and he was declared proclaimed offender by the trial Court vide order dated 08.07.2005, on the basis of which the impugned FIR has been registered against him. He assailed the summoning order dated 06.12.2004 passed in the application under Section 319 of Cr.P.C. as well as the order dated 08.07.2005 declaring him as proclaimed offender by filing CRM-M-65274 of 2023. The said petition came up for hearing before this High Court on 04.01.2024, wherein the petitioner withdrew his prayer for quashing the summoning order dated 06.12.2004, but pursued his prayer for quashing of order dated 08.07.2005 whereby he was declared proclaimed offender. The petition was allowed vide order dated 04.01.2024 (Annexure P-2) to the extent of quashing the order dated 08.07.2005. The relevant extract of the said order is reproduced as under:

*“13. In view of the aforesaid facts and circumstances, the present petition is allowed. The impugned order dated 08.07.2005 (Annexure P-7) vide which the petitioner was declared as proclaimed offender is hereby set aside.”*

Learned counsel for the petitioner submits that since the main order dated 08.07.2005 has already been set aside by this Court vide order dated 04.01.2024 (Annexure P-2), the very foundation of registration of FIR No.14 dated 20.02.2020 under Section 174-A IPC, registered at Police Station Mehal Kalan, District Barnala has no existence in the eye of law and the same is also liable to be quashed alongwith all consequential proceedings.

Learned State Counsel is not in a position to refute the abovesaid facts put forth by the learned counsel for the petitioner.

Heard.

In view of the above and keeping in mind the peculiar facts and circumstances of the case, this Court is of the considered opinion that once the very foundation of registration of impugned FIR No.14 dated 20.02.2020 under Section 174-A IPC, registered at Police Station Mehal Kalan, District Barnala against the petitioner i.e. the order dated 08.07.2005 has already been set aside by this Court vide its order dated 04.01.2024 (Annexure P-2), the impugned FIR nowhere stands in the eye of law. Hence the same is also liable to be set aside.

Ordered accordingly.

NOVEMBER 21, 2025.

*Rajender*

(H.S. GREWAL)  
JUDGE

*Whether speaking/reasoned* : Yes/No  
*Whether reportable* : Yes/No