

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

**C.R.M-M No.1575 of 2015
Date of Decision : 05.02.2015**

Mann Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sunil Chadha, Sr. Advocate
with Mr. Kirpal Singh, Advocate
for the petitioner.

Mr. Deepak Garg, A.A.G., Punjab.

Mr. Abhinav Gupta, Advocate
for the respondent No.2.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing the order dated 21.10.2013 passed by the Judicial Magistrate Ist Class, Ludhiana whereby the petitioner was declared as proclaimed offender.

Learned senior counsel for the petitioner has argued that on the

date when the FIR was lodged i.e. 09.04.2013 the petitioner had gone abroad and thereafter there was no service upon him. Apart therefrom, he has stated that the prosecutrix has now resiled from her allegations. He further states that the petitioner is ready to return and appear before the Court but in view of the fact mentioned above the trial Court may be directed to grant him bail.

Learned Assistant Advocate General has not disputed the factual assertions made above.

Learned counsel for the prosecutrix-respondent No.2 has also accepted the fact that the prosecutrix had resiled from her statement at one stage and now she has given an affidavit (Annexure P-7) wherein she has expressed that she would have no objection if the petitioner is granted bail.

In this view of the matter, I do not deem it appropriate to deny the relief claimed by the petitioner. Consequently, the impugned order is set aside. It is directed that the petitioner shall appear before the trial Court on 13.02.2015 and on his appearance the trial Court shall release him on bail to its satisfaction. However, in case the petitioner does not appear before the trial Court in the aforesaid manner this petition would be deemed to have been dismissed.

Petition stands disposed of in the above terms.

(AJAY TEWARI)
JUDGE

February 05, 2015

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