

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

247

CRM-M-1725 of 2015

Decided on : 13.08.2015

Jasdeep Singh Aulakh @ Sema

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : Mr.A.S.Brar, Advocate
for the petitioner.
Mr.P.S.Madahar, AAG, Punjab.

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

Hari Pal Verma, J. (Oral)

Prayer in this petition filed under Section 482, Cr.P.C. is for quashing of order dated 16.11.2012 passed by learned Additional Chief Judicial Magistrate, Faridkot, whereby the petitioner, namely, *Jasdeep Singh Aulakh @ Sema* was declared proclaimed offender.

Learned counsel for the petitioner submits that FIR in the present case was registered on 23.3.2009. The police has prepared the cancellation report on 5.4.2009 and submitted it in the court for its acceptance on 1.5.2009. After the submission of the cancellation report, the petitioner had gone to Canada for studies. It is after the submission of the cancellation report and acceptance thereof, a private complaint was filed on 13.06.2009. The petitioner was summoned for 1.9.2010 in the complaint case. Since the petitioner was not in India, he was not served with any notice.

Learned counsel for the petitioner submits that the co-accused of the petitioner have already been acquitted by the trial court vide judgment dated 1.8.2014. Non-appearance before the trial court is for the reason that petitioner was not served in the case.

Learned counsel further submits that the petitioner is ready to surrender before the trial court and to face the trial provided he is allowed to join the proceedings.

Considering the fact that the petitioner was away to Canada and he is willing to face the trial, petitioner is allowed to be admitted on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial court and the petitioner shall appear before the trial court on or before *18.09.2015*.

It is made clear that in case the petitioner fails to surrender before the date fixed, the order dated 16.11.2012 passed by the trial court shall come in operation.

Nothing stated herein shall be construed as an expression of opinion on the merits of the case and the trial court shall consider the case on the basis of evidence and material available before it.

Petition is allowed.

[Hari Pal Verma]
Judge

13.08.2015
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