

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3258-2015 (O&M)
Date of Decision: 03.09.2015

Harpinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

- 1. *Whether Reporters of the 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?***

Present: Mr. V.K. Thakur, Advocate
for the petitioner.

Dr. Deepa Singh, Addl. AG, Punjab
for the State.

Mr. Himanshu Puri, Advocate
for respondent No.2.

R.P. Nagrath, J. (Oral)

The instant petition has been filed for quashing of complaint No.183 dated 22.07.2000, titled as Inderjit Singh Vs. Tarjinder Singh and others, summoning order dated 18.11.2000 (Annexure P-2) passed by the Addl. Chief Judicial Magistrate, Kapurthala and the subsequent proceedings conducted on the basis thereof including the order dated 24.10.2006 (Annexure P-3) declaring the petitioner as proclaimed offender.

I have heard learned counsel for the petitioner and learned State counsel assisted by Mr. Himanshu Puri, Advocate for complainant-respondent No.2.

The co-accused in the same complaint have been acquitted by the trial Court on 03.03.2009 in complaint No.133 dated 22.07.2000 and copy of the judgment of the trial Court is Annexure P-4.

Learned counsel for the petitioner submits that service was not effected upon petitioner as he was residing abroad. Learned counsel further submits that pursuant to the interim direction dated 26.02.2015, petitioner appeared before the trial Court and furnished the bail bonds.

Petitioner's counsel has also stated that the complaint was withdrawn by respondent No.2 when the case was last fixed before the trial Court. Learned counsel also refers to the main judgment (Annexure P-4) acquitting the remaining co-accused indicating that the witnesses of complainant have not supported the case having effected the compromise.

In view of the above, impugned complaint qua the petitioner and subsequent proceedings included the order dated 24.10.2006 (Annexure P-3) are quashed.

(R.P. Nagrath)
Judge

03.09.2015
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