

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

(i)

**Date of decision : 27.02.2015.
CRM No.M-35805 of 2014**

Hari Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

(ii)

CRM No.M-38346 of 2014

Paramjit Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MS.JUSTICE LISA GILL

Present : Mr. Vishal Sodhi, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Rajbir Wasu, Advocate for respondent No.2.

LISA GILL, J. (Oral)

This order shall decide both Crl. Misc. No.M-35805 of 2014 & Crl. Misc. No.M-38346 of 2014. Petitioners pray for setting aside order dated 19.08.2014, passed by the learned Additional Sessions Judge, SAS Nagar, Mohali as well as order dated 15.07.2013, passed by Sub Divisional Magistrate, Dera Bassi, declaring the petitioners as absconder in the complaint filed by respondent No.2 under Section 12 (1) of the Punjab New Capital (Periphery) Control Act, 1952.

It is submitted that Hari Singh is a 70 years old man. He has no concern with the land in question as he is neither the owner or a tenant on the said land. Petitioners in CRM No.M-38346 of 2014 are

the owners of the land in question. However, it is the specific case of all the petitioners that as they were not residing at the above said address. They have never been served. It is in this situation being unaware of the proceedings that they had not put in appearance. It is submitted that the petitioners are ready and willing to face the proceedings and undertake to appear on each and every fixed.

In pursuance to interim orders of this Court, petitioner Hari Singh put in appearance on 01.12.2014 and other petitioners namely Surender Singh and Paramjit Singh put in appearance on 19.11.2014. They have been admitted to interim bail. Photocopies of the said order has been produced in the Court today, which are taken on record subject to all just exceptions.

Keeping in view the facts and circumstances of the case, interim bail granted to the petitioners shall be made absolute subject to their furnishing fresh bail bonds and surety bonds to the satisfaction of the Sub Divisional Judicial Magistrate, Dera Bassi.

February 27, 2015

Manoj Bhutani

**(LISA GILL)
JUDGE**