

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

**CRM-M No.38539 of 2015
Date of Decision : 15.12.2015**

Davinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Sunil Agnihotri, Advocate
for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Punjab.

Mr. Vishal Munjal, Advocate
for the complainant.

AJAY TEWARI, J. (ORAL)

This petition has been filed for quashing of the proclamation order dated 13.02.2010 in FIR No.12 dated 31.01.2009, registered under Sections 326, 325, 324, 323, 341, 148, 149 IPC, at Police Station Dasuya, District Hoshiarpur.

On the last date, the following contention was noticed :-

“Learned counsel states that the matter was initially compromised between the complainant and all the accused persons. The petitioner went abroad under the wrong albeit bonafide belief that no proceedings would take place as consequent to the compromise the other co-accused have been acquitted but the petitioner was declared a proclaimed offender. He states that even now the petitioner has no intention of evading the process of law and would come back to India to face the proceedings.

Notice of motion.

On the asking of the Court, Mr.Ashish Sanghi, DAG, Punjab accepts notice on behalf of the respondent-State.

Learned counsel for the petitioner undertakes to supply a copy of the petition to the learned DAG during the course of the day.

Adjourned to 15.12.2015.”

Learned Deputy Advocate General, Haryana has accepted the fact that the matter was initially compromised and has very precisely stated that in case the petitioner is ready to face the trial, he would have no objection, if the proclamation is set aside.

In these circumstances, the proclamation order dated 13.02.2010 is set aside.

If the petitioner comes back to India within 20 days and appear before the trial Court within one month (as undertaken by the learned counsel for the petitioner), the trial Court shall release him on bail and further proceeds with the matter.

The petition stands allowed in the above terms.

(AJAY TEWARI)
JUDGE

15.12.2015
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