

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Crl. Misc. No. 41803-M of 2014

Date of Decision: 29.01.2015.

Kulwant Singh PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Jasjeet Singh Dhaliwal, Advocate,
for the petitioner.

Mr.S.S.Chaudhary, DAG, Punjab.

Mr.Ramesh Sharma, Advocate,
for the complainant

LISA GILL, J.(Oral)

Petitioner prays for quashing of the order dated 29.10.2011 (Annexure P-1) passed by learned Sub Divisional Judicial Magistrate, Nakodar in F.I.R. No. 21 dated 05.02.2009 under Sections 341, 283, 506 read with Section 34, IPC, registered at Police Station Nakodar, District Jalandhar vide which he was declared to be a proclaimed person.

Petitioner is an accused in F.I.R. No. 21 dated

05.02.2009 under Sections 341, 283, 506 read with Section 34, IPC. It is submitted that all the co-accused of the petitioner have been acquitted by learned trial court on 01.05.2014. It was under compelling circumstances that he had to go abroad i.e. an emergent medical problem of his wife. The petitioner was not able to come back to India. Thereafter, he was declared a proclaimed person on 29.10.2011. The proper procedure as envisaged was never adopted before declaring him as proclaimed person. On his undertaking that he was ready and willing to appear before the trial court and face proceedings and that he would surrender before the trial court on or before 15.01.2015, notice of motion was issued in this case.

It is informed that the petitioner has surrendered before the trial court on 15.01.2015. He has moved the application for regular bail.

This fact is affirmed by learned counsel for the State on instructions from Head Constable Satwant Singh.

Keeping in view the factum of surrender by the petitioner before the court of competent jurisdiction, this petition has been rendered infructuous.

Disposed of accordingly.

29.01.2015.
Anoop

(LISA GILL)
JUDGE