

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

CRM-M-No. 9534 of 2015(O&M)
Date of decision: August 21, 2015

Gurinder Singh @ Gurvinder Singh -----Petitioner (s)

V/s

State of Punjab -----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

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?

Present:- Mr. Shranav Katyal, Advocate for
Ms. Mandeep Kaur, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in the instant petition filed under Section 482 Cr.P.C. is to set aside the order dated 30.11.2007 (Annexure P-1) passed by Judicial Magistrate Ist Class, Phul, whereby, on the date of presentation of the challan in FIR No.17 dated 7.3.2007 under Sections 406/498-A/109 IPC registered at Police Station Dyalpura, District Bathinda, the petitioner has been declared as proclaimed offender.

This Court vide order dated 28.05.2015 while issuing notice of motion, has directed the petitioner to surrender before the trial Court within one week and the trial Court was further directed to admit the petitioner on bail, subject to his furnishing bail bonds/surety bonds

to its satisfaction or impose any other condition, which the trial Court may deem appropriate in the facts and circumstances of the case.

Learned counsel for the petitioner contends that pursuant to the order dated 28.05.2015, the petitioner had surrendered before the trial Court and the trial Court had admitted him on bail subject to his furnishing requisite bail/surety bonds to its satisfaction.

Considering the submissions made on behalf of the petitioner that he remained out of India from the year 2007 to December 2014, and therefore, he could not appear before the trial Court and, thus, on account of his non-availability, he was declared as proclaimed offender. However, now the petitioner has shown his inclination to face the trial and pursuant thereto, he has surrendered before the trial Court and the trial Court has admitted him on bail pursuant to the order dated 28.05.2015 passed by this Court.

Thus, the order dated 28.05.2015 passed by this Court is made absolute.

It is made clear that although the petitioner had surrendered before the trial Court and the trial Court had been admitted him on bail, however, the petitioner shall face the trial in accordance with law. He shall appear before the trial Court as and when directed by the Court and the trial Court shall be at liberty to decide the case on the basis of available evidence before it, in accordance with law.

With the aforesaid observations, the present petition is disposed of.

August 21, 2015
Anjal

(HARI PAL VERMA)
JUDGE