

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

CRL. MISC. No.M-14585 OF 2015
DATE OF DECISION : 4th NOVEMBER, 2016

Jaswinder Singh

.... Petitioner

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE HARI PAL VERMA

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Present : Mr. Vishal Munjal, Advocate for
 Mr. Sunil Agnihotri, Advocate for the petitioner.
 Mr. Gurinderjit Singh, DAG, Punjab.

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HARI PAL VERMA, J. (ORAL)

Prayer in this petition is for quashing of proclamation order dated 12.02.2009 passed by learned JMIC, Dasuya in FIR No.2 dated 21.07.2006 registered under Sections 447, 427, 506 read with Section 34 IPC at Police Station Garhdiwala, District Hoshiarpur.

Learned counsel for the petitioner states that vide order dated 12.02.2009 he was declared proclaimed offender. But at the relevant time the petitioner was not in India and even till date he is residing in Italy. He further states that the co-accused in the aforesaid FIR have been acquitted by the trial court vide judgment dated 14.08.2013 (Annexure P-4). He further submits that the petitioner is ready to surrender before the trial court and to face the trial.

State counsel on instructions from ASI Satpal Singh states that there is no serious objection if the petition is allowed.

I have heard learned counsel for the parties and perused the case file with their assistance.

Considering the fact that the petitioner is ready to face the trial and the other co-accused have been acquitted by the learned Magistrate, the order dated 12.02.2009 passed by learned JMIC, Dasuya (Annexure P-3) is set aside, provided that petitioner shall surrender before the trial Court within a period of one month from today. In case, he surrender before the trial Court within the stipulated time, the trial Court shall admit him on bail subject to furnishing of adequate bail bonds and surety bonds to its satisfaction.

In case, the petitioner fails to appear before the trial court within the stipulated time, the present petition shall deem to have been dismissed.

The petition is allowed with direction as aforesaid.

4th NOVEMBER, 2016
'raj'

(HARI PAL VERMA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable</i> :	<i>Yes</i>	<i>No</i>