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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-34026-2017
Date of Decision: 15.09.2017

Sanju

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. G.S. Jagpal, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

Notice of motion.

[2]. On the asking of the Court, Mr. V.G. Jauhar, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

[3]. In this petition, the petitioner prays for quashing the order dated 09.03.2017 passed by the Ld. Judicial Magistrate Ist Class, Ludhiana in FIR No.33 dated 29.01.2013, under Sections 452, 447, 511, 148, 149 & 120-B of the IPC, registered at Police Station Jodhewal, District Ludhiana, vide which he was declared a Proclaimed Offender.

[4]. His case is that the proceedings arising out of the aforesaid FIR ought to have terminated as an amicable compromise between the complainant and the accused persons had already been arrived at, and the compromise deed is also placed on record (Annexure P-2). As such the petitioner was under a *bona fide* impression that cancellation report would subsequently submitted in the case, on account of which the petitioner did not appear.

[5]. The grounds disclosed in the petition do appear to be genuine considering the compromise deed placed on record. In the circumstances, the present petition is allowed and the impugned order passed by the Ld. Court below is set aside with a direction upon the petitioner to surrender before the Trial Court within two weeks from date, after which his fresh application for bail may be considered on merits.

[6]. Disposed off.

15.09.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes

2. Whether reportable: No