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

CRM-M-35984 of 2017

Date of decision: September 27, 2017

Ramanjot Singh @ Kala

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. A.P. Kaushal, Advocate the petitioner.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Mr. Ramandeep Sandhu, Sr.

DAG Punjab accepts notice on behalf of the State.

Rule. Heard forthwith.

Following is the prayer in the present petition:-

“1st Petition under Section 482 of Cr. P.C. for quashing the order dated 30.05.2017 vide which the petitioner has been declared Proclaimed Offender illegally and arbitrary without following the proper procedure and provisions of Section 82 and 83 of Cr. P.C. in case FIR No.10 dated 13.01.2013, under Sections 323/427/458/506/148/149 IPC registered at Police Station Sadar Dhuri, District Sangrur.”

I have perused the FIR that was lodged against the petitioner and the role attributed to him. Admittedly, the petitioner was on bail during trial. The FIR relates to the year 2013. The petitioner did not appear before the trial Court and as such, the trial Court marked his absence and thereafter, passed impugned order dated 30.05.2017

declaring him proclaimed offender.

No fault can be found with the impugned order since the petitioner admittedly did not appear before the trial Court at the relevant time. Be that as it may, learned counsel for the petitioner, on instructions from the petitioner, makes a statement that the petitioner would like to appear before the trial Court hereinafter with promptitude and fully cooperate for disposal of the trial, which is pending before the trial Court. Looking to the nature of the offences alleged against the petitioner, I think there is no point in pushing the petitioner in jail, particularly because he is agreed to appear before the trial Court. However, in view of the fact that he had obstructed the trial for quite some time, the petitioner will have to pay compensatory costs to the State of Punjab.

Rule is made absolute in terms of prayer clause, subject to deposit of ₹5,000/- by the petitioner with the trial Court payable to the State of Punjab, as a pre-condition. Thereafter, the petitioner shall be released on bail upon his furnishing fresh bail bonds to the satisfaction of the trial Court.

Disposed of.

(A.B. CHAUDHARI)
JUDGE

September 27, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No