

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

CRM-M No.38401 of 2017

Date of decision: 30.11.2017

Harvinder Singh @ Goli @ Soni

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Satbir Rathore, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

HARI PAL VERMA, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of the FIR No. 79 dated 08.09.1998 registered under sections 325, 324, 323, 148, 149 IPC at Police Station Dasuya, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom including order dated 31.01.2004 passed by learned Sub Divisional Judicial Magistrate, Dasuya (Annexure P-2), whereby the petitioner was declared as a proclaimed offender.

On 11.10.2017, while issuing notice of motion, this Court has passed the following order:-

“Prayer in this petition filed under Section 482 Cr.PC is for quashing of the FIR as well as *order dated 31.01.2004 (Annexure P-2) passed by learned Sub*

Divisional Judicial Magistrate, Dasuya, whereby the petitioner has been declared as proclaimed offender.

Learned counsel for the petitioner states that at this stage, the petitioner restricts his prayer only qua the impugned order (Annexure P-2), whereby the petitioner was declared as proclaimed offender. He states that the petitioner is settled abroad and has come back to India only on 06.10.2017. However, the petitioner is ready to surrender before the trial Court and to face the trial.

Notice of motion for 30.11.2017.

Since the petitioner has shown his inclination to surrender before the trial Court and is ready to face the trial, in case he surrenders before the trial Court within a week from today, he shall be admitted on bail subject to furnishing bail bonds and surety bonds to the satisfaction of the trial Court.”

Learned counsel for the petitioner states that pursuant to the above order, petitioner has surrendered before the learned trial Court and has been admitted to bail. He has produced a certified copy of order dated 13.10.2017 passed by learned Sub Divisional Judicial Magistrate, Dasuya, granting bail to the petitioner, which is taken on record. He further states that the petitioner is regularly attending the Court and facing trial. Even otherwise, the parties have entered into a compromise.

In view of the aforesaid fact that the petitioner has surrendered before the learned trial court and is admitted on bail, no further orders are required to be passed in the present petition and same is accordingly disposed of.

Since in the present petition, the petitioner has restricted his prayer only qua the impugned order dated 31.01.2004, whereby he was declared a proclaimed offender, the petitioner is at liberty to file quashing petition on the basis of compromise, if any, or to face trial in accordance with law.

November 30, 2017
m. sharma

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No