

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39563-2016 (O&M)

Date of decision: March 02, 2017.

Ravinder Pal Singh @ Ravinder Singh

... **Petitioner**

v.

State of Punjab and another

... **Respondent**

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

Present: Shri Vivek Thakur, Advocate for the petitioner.
Shri Daljit Virk, Deputy Advocate General, Punjab.

A.B. Chaudhari, J. (Oral):

Rule. Heard forthwith.

Learned counsel for the petitioner submits that the petitioner was declared a proclaimed offender by order dated 17.8.2013 (Annexure P-2) as he was in America and could not attend the trial. He further submits that he does not press the main prayer for quashing of FIR No.251 dated 22.12.2009, under Sections 307, 450, 447, 511, 506 IPC read with Section 34 IPC and Sections 25/27 of the Arms Act registered at Police Station Shahkot, District Jalandhar (Annexure P-1). Accepting his statement, first part of the prayer is deleted. In so far as the second part of the prayer for quashing of the order dated 17.8.2013 (Annexure P-2) is concerned, I think the petitioner deserves to be granted the said relief. The reason is that trial against the co-accused has been completed and decided on 12.3.2014. The petitioner has expressed his desire to participate in the trial in the said FIR which is pending against him till its completion. He further points out compromise (Annexure P-3) entered between the parties. The compromise however cannot be accepted at such a later stage particularly when the trial

was held in respect of the co-accused and has been completed. However, the petitioner should be given a chance to contest the prosecution case. But then, looking to the conduct of the petitioner, the petitioner ought to be directed to deposit his passport with the trial court which shall not be released in any case until the trial is completed. In that view of the matter, following order is passed:-

ORDER

- (i) Rule is partly allowed;
- (ii) Order dated 17.8.2013 declaring the petitioner a proclaimed offender is quashed and set aside;
- (iii) Petitioner to appear before the trial court in FIR No.251 dated 22.12.2009, under Sections 307, 450, 447, 511, 506 IPC read with Section 34 IPC and Sections 25/27 of the Arms Act, registered at Police Station Shahkot, District Jalandhar (Annexure P-1) on 18.4.2017;
- (iv) Petitioner shall furnish bail bonds to the satisfaction of the trial court and as a pre-condition deposit his passport with the trial court which shall not be released to him till the trial is completed;
- (v) Petitioner to cooperate with the trial court in disposing of the trial;
- (vi) The trial be expedited and be completed as expeditiously as possible.

March 02, 2017.

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[A.B. Chaudhari]
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No