

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

**Criminal Misc. No. M-44021 of 2016
Date of Decision:-08.08.2017**

Manjinder Singh @ Shinda and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Karan Choudhary, Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of impugned order dated 24.10.2013 (Annexure P-7) passed by learned Judicial Magistrate 1st Class, Gurdaspur, whereby the petitioners were declared as proclaimed persons.

Learned counsel for the petitioners has argued that neither summons have been effectively issued to the petitioners nor service of summons have been effected upon the petitioners regarding pendency of

complaint as well as summoning order. The petitioners were not aware regarding pendency of any criminal complaint as well as summoning order dated 13.4.2011 issued by the trial Court.

This Court vide order dated 09.12.2016 passed the following order :-

“Notice of motion for 24.1.2017.

Learned counsel for the petitioners submits that the petitioners shall surrender before the trial Court on 14.12.2016.

On such surrender, the petitioners shall be admitted to bail to the satisfaction of the trial Court.”

Learned counsel for the petitioners has submitted that pursuant to the aforesaid order, the petitioners have surrendered before the trial Court.

Mr. S.K. Choudhary, Advocate has put in appearance and filed memorandum of appearance on behalf of respondent No.2. Same is taken on record.

Learned State counsel on instructions from ASI Surjan Singh states that in terms of order dated 09.12.2016 the petitioners have surrendered before the trial Court and have joined the proceedings.

Considering the fact that as the petitioners have shown their inclination to join the proceedings and to face the trial in accordance with law, the present petition is allowed and the order dated 24.10.2013 (Annexure P-7) passed by learned Judicial Magistrate 1st Class, Gurdaspur, is set aside.

August 08, 2017
Vijay Asija

(HARI PAL VERMA)
JUDGE

Yes / No

Yes / No