

127

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43601-2017 (O&M)
Date of decision-21.12.2017

Charan Kamaljit Singh Parmar @ Raju

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Mansur Ali, Advocate for the applicant-petitioner.

JITENDRA CHAUHAN, J. (Oral)

CRM-36887-2017

Application is allowed as prayed for.

CRM-M-43601-2017

This petition under Section 482 of the Criminal Procedure Code has been filed for issuance of appropriate order or direction for quashing the impugned order dated 23.10.1997 (Annexure P-6) passed by learned Judicial Magistrate First Class, Hoshiarpur declaring the petitioner as a proclaimed offender in a complaint filed by respondent No.2 titled as "Vidya Devi Vs. Sansar Singh and another" registered under Sections 354, 323 and 506 of the Indian Penal Code.

Learned counsel for the petitioner refers to Annexure P-3, an affidavit of the complainant/respondent No.2 wherein she has specifically stated that she has entered into compromise with Sansar Singh and Charan

Kamaljit Singh Parmar @ Raju i.e. the petitioner. He further refers to Annexure P-5, whereby the co-accused, namely, Sansar Singh was acquitted. He further contends that the the petitioner remained under *bona fide* belief that he is not required in the matter.

Heard.

Notice of motion.

At the asking of the Court, Ms. Gulnoor Ghuman, AAG, Punjab accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned counsel, in the Court.

After hearing learned counsel for the parties and perusing the case file, this Court feels that no case for quashing of impugned order (Annexure P-6) whereby the petitioner has been declared a proclaimed offender, is made out.

However, in case the petitioner surrenders before the competent Court within six weeks from today, he be admitted to bail, on his furnishing bail /surety bonds, to its satisfaction. The operation and effect of the impugned order dated 23.10.1997 (Annexure P-6) shall remain stayed during this period.

This petition is disposed of without issuing notice to respondent No.2/complainant with a view to impart complete justice to the parties and save the huge expenses, which may be incurred by the respondents as also in order to avoid unnecessary delay in adjudication of the matter. Still, if dissatisfied, respondent No.2 may move this Court for recalling this order within three months from the receipt of certified copy of

this order.

Disposed of, accordingly.

21.12.2017

vanita

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No