

CRM-M-14732-2016(O&M)

Date of decision: 23.05.2018.

Jugraj Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Parveen K. Kataria, Advocate
petitioners.

Mr. Abhaypal Singh Gill, AAG, Punjab.

Mr. Akshay Kumar Goel, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN, J. (ORAL)

On 06th October, 2017, the following order has been passed by
this Court:-

*“Counsel appearing for respondent No.2 submits
that after the petitioners were declared as proclaimed
offenders, they have filed a petition i.e. CRM-M No.4566 of
2014, challenging the order declaring them as proclaimed
offenders and the same was dismissed vide order dated
18.02.2016. Thereafter, the petitioners filed SLP (Crl.)
No.2814 of 2016 in which the following order was passed:-*

*“Having heard Mr. R. Anand Padmanabhan,
learned counsel for the petitioners, we think it
appropriate to direct the petitioners to surrender before
the learned trial Judge who shall admit them to bail on
such terms and conditions to be imposed by him.
Needless to say, a condition has to be incorporated that
he shall appear on each date when the case is taken up
and he shall not leave India without leave of the Court.*

The special leave petition is, accordingly, disposed of.”

It is, thus, submitted on behalf of respondent No.2 that though petitioner No.1 is appearing before the trial Court whereas petitioner No.2 has never returned back to India and never appeared before the trial Court despite the order dated 16.08.2016 passed by the Hon'ble Supreme Court.

Learned State Counsel, on instructions from ASI Harpal Singh, submits that out of 12 prosecution witnesses, 03 have already been examined and the case is fixed for prosecution evidence.

List again on 19.12.2017.”

Thereafter, the trial Court was directed to submit the status report.

In compliance thereof, the trial Court has submitted the status report dated 23.03.2018 and as per this report, it is stated that challan has been presented only against Jalour Singh and when the case was fixed for prosecution evidence, he absented from the proceedings on 08.10.2012 and thereafter, he was declared proclaimed offender on 02.02.2013. Later on, the trial Court summoned Veer Pal Kaur, Jagraj Singh and Gurjant Singh as additional accused under Section 319 Cr.P.C. vide order dated 23.05.2013 and they were also declared proclaimed offenders vide order dated 24.12.2013.

Later on, petitioner No.1-Jugraj Singh appeared before the trial Court on 03.10.2016 and he was admitted to bail as per the order dated 16.08.2016 passed by Hon'ble Supreme Court of India in Special Leave to

Appeal (Crl.) No.2814 of 2016. Now, only Jugraj Singh-accused is facing the trial and the case is at the stage of defence evidence and arguments.

Learned counsel appearing for the complainant submits that the next date before the trial Court is 28.05.2018, for defence evidence and arguments.

In view of the above, learned counsel for the petitioners submits that this petition may be disposed of with a direction given to the trial Court to dispose of the trial expeditiously.

Accordingly, this petition is disposed of and the trial Court is directed to conclude the trial expeditiously, preferably, within a period of three months from the date of receiving of copy of this order.

Liberty is granted to the petitioners to take all the pleas/defences taken in this petition, before the trial Court.

(ARVIND SINGH SANGWAN)
JUDGE

23.05.2018
Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No