

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18129-2018

Date of decision: 04.09.2018

Major Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajiv Joshi, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the order dated 12.09.2017 passed by the trial Court, vide which the petitioner was declared a proclaimed offender in FIR No.102 dated 20.12.2015 under Sections 323, 325, 34 IPC, registered at Police Station Chamkaur Sahib, District Rupnagar.

On 03.05.2018, following order was passed by this Court: -

“Learned counsel for the petitioner submits that the offences are bailable and the petitioner had travelled abroad in August, 2006 and never returned back. It is further submitted that the impugned order dated 12.09.2007 (Annexure P-4) was passed declaring the petitioner as proclaimed offender in a period, which is less than 30 days, prescribed under Section 82 Cr.P.C. It is also submitted that two co-accused of the petitioner, who faced the trial, have been released on probation vide judgment dated 16.12.2009 (Annexure P-2) and there is a possibility of some amicable settlement between the petitioner and complainant. Learned counsel for the

petitioner further submits that the petitioner is ready to surrender and appear before the trial Court and face the trial and also to explore the possibility of some amicable settlement with the complainant.

Though there is no explanation of the intervening period of about 11 years, however, considering the fact that the petitioner wants to surrender before the trial Court and face the trial, notice of motion be issued for 04.09.2018.

In the meantime, petitioner is directed to appear before the trial Court within a period of 10 days from today and the trial Court will release the petitioner on interim bail subject to furnishing his bail/surety bonds and on payment of costs of Rs.1.00 lac to be deposited in the Govt. Treasury under a head to be nominated by the trial Court. It shall be a pre-condition to deposit the costs before releasing the petitioner on interim bail.”

Learned counsel for the petitioner has placed on record copy of the order dated 07.05.2018 passed by the trial Court, vide which the petitioner has been granted interim bail and submits that the petitioner has deposited the costs of Rs.1.00 lac.

The aforesaid fact is not disputed by learned State counsel.

In view of the above, the order dated 03.05.2018 passed by this Court is made absolute.

[ARVIND SINGH SANGWAN]
JUDGE

04.09.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No