

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Smriti
24.07.2018 12:57
I attest to the accuracy and
integrity of this document

CRM-M-26624-2017

Date of Decision: 06.07.2018

Mohd. Iftkhar

...Petitioner

vs.

State of Punjab and Anr

..Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jai Bhagwan, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN,J. (Oral):

Prayer in this petition is for quashing of order dated 09.01.2017 (Annexure P3) passed by the trial Court in FIR No. 48 dated 18.06.2012, vide which the petitioner was declared a proclaimed person.

Counsel for the petitioner, at the very outset, has placed on record certified copy of the judgment dated 13.12.2017 passed by the trial Court, vide which four co-accused of the petitioner, namely, Haji Dilshad Qureshi, Hansraj, Abdul Latif @ Teefu and Mohammad Habib have faced the full length trial and, thereafter, they have been acquitted by the trial Court of the charges. Counsel further submits that the petitioner was also appearing before the trial Court and facing the trial alongwith other co-accused but on account of noting the wrong date, he could not appear before the trial Court and, thereafter, he was declared a proclaimed person.

Counsel for the petitioner further submits that the petitioner is ready to surrender before the trial Court and apply for bail.

The learned State counsel, on instructions from H.C.Jagdev Singh, has not disputed the factual position, however, submits that the petitioner is intentionally not appearing before the trial Court.

In view of the fact that four co-accused of the petitioner, who have faced the full length trial, stand acquitted by the trial Court and the petitioner has undertaken to appear before the trial Court and faced the trial, the impugned order dated 09.01.2017 (Annexure P3), declaring the petitioner a proclaimed person, is set aside and the petitioner is directed to surrender before the trial Court within a period of 15 days from today and trial Court will release the petitioner on bail on his furnishing bail/surety bonds. However, this will be subject to payment of costs of Rs.5,000 to be deposited with the District Legal Services Authority, Malerkotla,

06.07.2018
smriti

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No.

Whether Reportable : Yes/No