

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

CRM-M-30089 of 2018.

Decided on:- November 29, 2018.

Sukhwinder Singh Dhillon.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. Dhawaljeet Dutta, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.155 dated 21.07.2014 under Sections 420, 506 and 120-B IPC as well as Sections 66-A, 67 and 67-A of the Information Technology Act, 2000 registered at Police Station C Division, District Amritsar (Annexure P-1) qua the petitioner as well as the impugned order dated 05.07.2017 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Amritsar, whereby the petitioner was declared as a proclaimed person.

Learned counsel for the petitioner states that at this stage, he does not press the present petition regarding quashing of the FIR in question and confines his prayer only qua setting aside of the impugned order dated 05.07.2017 (Annexure P-2) passed by the trial Court.

I have heard learned counsel for the parties.

On September 18, 2018 while issuing notice of motion, this Court had passed the following order:

“Learned counsel for the petitioner states that the petitioner is an N.R.I. and without having the proper recourse, he has been declared as a proclaimed person by learned Magistrate vide impugned order dated 05.07.2017. He further states that the petitioner is ready to appear before the trial Court and to face the trial in accordance with law.

Notice of motion for 11.10.2018.

Process Dasti as well.”

Therefore, without commenting upon the merits of the case, but considering the limited prayer of the petitioner, it is ordered that in case the petitioner surrenders before the trial Court within one month from today, he shall be admitted on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court, however, subject to payment of costs of Rs.10,000/- to the Poor Patients’ Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh.

The petitioner shall also furnish an affidavit before the trial Court that he shall not delay the proceedings in any manner and shall appear regularly during the trial unless exemption is granted by the trial Court.

The trial Court may also put any other condition as it may deem fit taking into consideration the fact that the petitioner is a Non-Resident Indian.

Accordingly, the impugned order dated 05.07.2017 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Amritsar is set aside and the instant petition stands disposed of.

November 29, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No