

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Sr. No.132

CRM-M-32767-2018
Date of decision : 01.08.2018

Nirmal Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Jaideep Verma, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner prays for quashing of FIR No.339 dt. 18.11.2011, registered at Police Station Zirakpur, under Sections 392, 506, 201 and 34 IPC.

The submission of the learned counsel for the petitioner is that co-accused have been acquitted by the trial Court and the petitioner was not tried as he was declared as proclaimed offender without service of notice upon him.

Merely because co-accused have been acquitted, it would not entitle the petitioner to seek quashing of FIR. He would now to surrender before the trial Court and undergo the trial.

Keeping in view the submission of the learned counsel for the petitioner that the petitioner was not served during the trial, I deem it appropriate to exercise my extraordinary jurisdiction under Section 482 of the Code of Criminal Procedure, 1973, and quash the order dt. 20.05.2017 (Annexure P4) subject to the petitioner surrendering before the trial Court on or before 08.08.2018 and applying for regular bail. On his doing so, the trial Court shall grant him regular bail subject to its satisfaction. It is, further, directed that the petitioner shall deposit a sum of Rs.50,000/- with the High Court Legal Services Committee, Chandigarh and shall produce the proof thereof before the trial Court before grant of bail to him.

(SUDHIR MITTAL)
JUDGE

01.08.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No