

CRM-M-40558 of 2018

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

CRM-M-40558 of 2018
Date of Decision: 12.11.2018

Randhir Singh

....Petitioner

Versus

The State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. J.B.S. Gill, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing FIR No.109 dated 28.07.2003 registered under Sections 307, 452, 506, 148 and 149 IPC at Police Station Mahilpur, District Hoshiarpur and all subsequent proceedings arising therefrom.

As per report received from learned Additional Sessions Judge, Hoshiarpur, vide letter No.722 dated 23.10.2018 through learned District and Sessions Judge, Hoshiarpur, vide letter No.37815 dated 29.10.2018, in compliance of order of this Court dated 17.09.2018, due to absence of the petitioner on 04.07.2007, his bail bonds and surety bonds were cancelled and forfeited to the State and he was ordered to be summoned through non-bailable warrants of arrest along with his co-accused Harwinder Singh. Since petitioner did not appear before the Court on or after 04.07.2007, therefore, he was liable to be declared proclaimed offender. However, due to inadvertence or oversight, proceedings to secure the presence of petitioner were not carried out, though aforesaid co-accused of the

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petitioner namely, Harwinder Singh was declared proclaimed offender on 03.12.2007.

Heard.

Considering overall facts and circumstances, petitioner is directed to appear before Mr. Parminder Singh Rai, learned Additional Sessions Judge, Hoshiarpur, who has decided the case of co-accused vide judgment dated 30.05.2017, or his successor Court, within four weeks, who would pass appropriate orders to proceed against the petitioner in accordance with law. Bail application of the petitioner, if presented, shall be decided within next seven days. In case of non-appearance of the petitioner before the learned Additional Sessions Judge within the stipulated period, this petition shall stand automatically dismissed.

Disposed of.

November 12, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No