

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

CRM-M No.47496 of 2017

Date of decision: 16.03.2018

Surinder Kumar

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sandeep Godara, Advocate
for Mr. A.P.S. Rehan, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for setting-aside the order dated 07.09.2011 passed by the Sub-Divisional Judicial Magistrate in criminal case No.145/2006 vide which the petitioner was declared as proclaimed person.

Counsel for the petitioner has submitted that in pursuance to the order dated 14.12.2017, the petitioner has appeared before the trial Court, he has been released on interim bail and he has also deposited the amount of Rs.50,000/- as costs. A photocopy of the receipt is taken on record as Mark 'Y'.

Notice of motion.

Mr. Abhay Pal Singh Gill, AAG, Punjab who is present in the Court accepts notice on behalf of respondent No.1.

Counsel for the petitioner has submitted that the petitioner was granted regular bail and while facing the trial, he could not appear before the trial Court as he has gone abroad. It is further submitted that co-accused of the petitioner namely Jaspinder Singh @ Sampy and

Jaspreet Singh @ Jassa have faced the trial and the trial Court vide judgment dated 21.11.2017 (Annexure P3) has acquitted both the co-accused. Counsel for the petitioner has further submitted that the petitioner has already appeared before the trial Court and is facing the trial.

In view of the above facts and circumstances and considering the fact that the petitioner has surrendered before the trial Court and has complied with the order dated 14.12.2017 and also deposited the costs of Rs.50,000/- for travelling abroad without prior permission of the Court and is now facing the trial and also in view of the fact that two of the co-accused of the petitioner have already been acquitted by the trial Court, this petition is allowed and the impugned order dated 07.09.2011 declaring the petitioner as proclaimed offender is set-aside.

(ARVIND SINGH SANGWAN)
JUDGE

16.03.2018

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No