

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49927-2018 (O&M)

Date of Decision:- 14.11.2018

Sohan Singh

... Petitioner

Versus

Gurmej Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gagandeep Singh Sirphikhi, Advocate, for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

The petitioner assails order dated 20.3.2018, passed by learned Judicial Magistrate 1st Class, Batala whereby he has been declared a proclaimed person.

The learned counsel submits that the petitioner is aged 73 years and that in fact the complaint filed against him, in which he had been declared a proclaimed person, has already been compromised.

Notice of motion.

At this stage Mr. Vishal Sodhi, Advocate, accepts notice on behalf of respondent No.1 and filed power of attorney on his behalf. The same is taken on record.

Bearing in mind the fact that petitioner had absented on 8.1.2018, as has been stated by learned counsel for the petitioner which has not been disputed by learned counsel for respondent No.1, and that thereafter the proclamation proceedings were initiated and also the fact that the petitioner is aged 73 years and also the fact that the matter stands compromised, a lenient view is taken and the impugned order dated 20.3.2018 passed by learned Judicial Magistrate 1st Class, Batala is set aside subject to imposition of costs amounting to ₹ 40,000/-, to be paid by the petitioner, half of which shall be deposited with District Legal Services Authority, Gurdaspur and the remaining half shall be paid to the complainant, within two weeks from today.

The petitioner is directed to appear before the trial Court and move an application for grant of regular bail which shall be decided by the trial Court on the same day itself, keeping in view the factum of compromise.

The petition is disposed of accordingly.

November 14, 2018

mohan

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No