

125.

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

CRM-M-7034-2017

Date of decision:17.10.2018.

BEDAN

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Jangvir Singh Hooda, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing the order dated 04.06.2015 (Annexure P/1) passed by learned Sub Divisional Judicial Magistrate, Hodal whereby the petitioner was declared to be a proclaimed person in case FIR No.513 dated 18.09.2014 registered under Sections 148, 323, 325, 283, 341, 506, 382, 453, 216 read with Section 149 IPC and Sections 3/33 of SC & ST Act, 1989, at Police Station Hodal, District Palwal.

Learned counsel for the petitioner outrightly submits that the petitioner is ready to surrender before the trial Court and to face trial even if the other co-accused have been acquitted in the case.

Learned State counsel, who is assisted by SI Birham Pal, states that there is no illegality in the order dated 04.06.2015 whereby the petitioner was declared a proclaimed person in the case. The petitioner does

not require to be given any protection merely because he has approached this Court.

I have heard learned counsel for the parties.

The petitioner has been declared a proclaimed person vide order dated 04.06.2015 and the SHO concerned was directed to register a case under Section 174-A of IPC against the proclaimed persons in accordance with law.

Since the petitioner has shown his inclination to surrender before the trial Court and to face trial in accordance with law, present petition is disposed of with a direction that in case the petitioner surrenders before the trial Court within 10 days from today and submits an undertaking that neither he shall remain absent during trial nor shall cause any delay in the trial, the trial Court shall admit him on bail subject to his furnishing fresh bail bonds and surety bonds to its satisfaction. The trial Court is at liberty to impose any other condition as it may deem fit in the peculiar facts and circumstances of the case. However, that would be 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.

It is made clear that production of receipt shall be a condition precedent to admit the petitioner on bail.

(HARI PAL VERMA)
JUDGE

17.10.2018
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.