

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

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CRM-M-9308-2018
&CRM-9582-2018

Date of decision: 15.03.2018

Arun Paswan

...PETITIONER

VS.

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Liaqat Ali, Advocate,
for the applicant-petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CRM-9582-2018

C.M. is allowed subject to just exceptions. Copy of order and affidavit as Annexures P-5 and P-6 are taken on record.

CRM-M-9308-2018

It is the contention of the learned counsel for the petitioner that the petitioner never intended to absent himself from the proceedings before the trial Court. As a matter of fact, he had preferred a petition under Section 482 Cr. P.C. for quashing of the FIR registered against the petitioner, wherein notice of motion was issued by this Court on 18.02.2013 in CRM-M-5445 of 2013 titled as Arun Paswan @ Raju vs. State of Punjab and another and further proceedings before the trial Court were stayed till further orders. The said petition was continued when he was advised by the counsel before the trial Court that he need not to appear before the trial Court as the proceedings have been stayed by this Court. However, the said petition for quashing of the FIR was dismissed by this Court vide order

dated 26.02.2014 with liberty to the petitioner to take all the pleas, as have been taken in that petition, before the trial Court. Counsel contends that the outcome of the said case was never brought to the notice of the petitioner and, therefore, he did not appear before the trial Court resulting in initiation of proceedings for declaring him a proclaimed offender, which concluded on 15.11.2016. Counsel further contends that the petitioner was never served in those proceedings, because of which, he could not appear before the trial Court. He states that the petitioner is ready and willing to surrender before the Chief Judicial Magistrate, Ludhiana on 19.03.2018 and on that date, he shall move an application for grant of regular bail, which may be considered and decided at an early date.

In view of the statement made by the counsel for the petitioner, the present petition is disposed of with liberty to the petitioner to surrender before the Chief Judicial Magistrate, Ludhiana on 19.03.2018.

In case, the petitioner surrenders before the Chief Judicial Magistrate, Ludhiana and moves an application for grant of regular bail on the said date, he shall be admitted to interim bail, which shall continue till a final decision is taken on the application of the petitioner for grant of regular bail.

March 15, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No