

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

CRM-M-9792-2018 (O&M)

Date of decision: 05.09.2018

Ajaypal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rakesh Sobti, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Sandeep Sharma, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-29405-2018

Prayer in this application is for adding Section 326 IPC in the headnote as well as in the prayer clause of the petition as Section 326 IPC was added later on during investigation.

For the reasons mentioned in the application, the same is allowed.

Registry is directed to make the necessary corrections in the headnote as well as in the prayer clause of the petition.

CRM-M-9792-2018

Prayer in this petition is for quashing of the order dated 15.01.2018 (Annexure P-2), passed by the trial Court in FIR No.193 dated 24.07.2015, registered under Sections 323, 324, 325, 506, 148 and 149 of the IPC (Section 326 IPC added later on) at Police Station Sultanwind,

Amritsar City, vide which, the petitioner has been declared a proclaimed person as well as for quashing of the order dated 04.09.2017 (Annexure P-3), vide which, the bail granted to the petitioner was cancelled by the trial Court.

On 12.03.2018, the following order has been passed:

“Counsel for the petitioner has submitted that on 17.08.2017, the petitioner was present in the Court and the case was adjourned to 02.09.2017. In the meantime, the parties have arrived at a compromise on 17.08.2017. On 02.09.2017, a local holiday was declared and the petitioner was under the impression that since the matter has been compromised and a petition seeking quashing of the aforesaid FIR on the basis of the compromise has already been filed vide CRM-M No.44388 of 2017, in which a direction has been issued to the parties to record their statements on 20.11.2017, his present is not required before trial Court. It is further submitted that the petitioner is ready to appear before the trial Court and apply for fresh bail.

Notice of motion for 18.04.2018.

In the meantime, the petitioner is directed to appear before the trial Court within a period of 15 days and the trial Court will release the petitioner on interim bail subject to his furnishing bail/surety bonds and costs of Rs.2,000/- on account of delaying the proceedings to be deposited with the District Legal Services Authority, Amritsar. The payment of costs shall be a pre-condition before accepting the bail/surety bonds of the petitioner.”

Learned counsel for the petitioner submits that in pursuance to the order dated 12.03.2018, the petitioner has appeared before the trial Court and after depositing the cost of ₹2,000/-, he has been released on

interim bail. It is also submitted that now the petitioner is regularly appearing before the trial Court. This fact is not disputed by learned State counsel.

In view of the above, without commenting anything on the merits of the case, this petition is dispose of and order dated 12.03.2018 is made absolute.

September 05, 2018
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No