

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

I.

CRM-M-9580-2019

Date of decision: October 19, 2019

Satnam Singh

....Petitioner

Versus

State of Punjab

...Respondent

II.

CRM-M-5044-2019

Lakhwinder Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Tarunveer Vashist, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

On 4.2.2019, the following order was passed in CRM-M-5044-2019 :-

“Counsel for the petitioner has submitted that as per the version given in the FIR, which was registered against the two persons namely Satnam Singh and Gurwinder Singh, the trial Court vide order dated 10.02.2014 had issued proclamation against these two persons and no proclamation has been issued against the petitioner, however, the petitioner was later on, declared as proclaimed person. It is further submitted that the petitioner was not aware about the pendency of

any such proceedings as the name of the petitioner is Lakhwinder Singh son of Randhir Singh and not Gurvinder Singh, therefore, the proclamation issued in the name of Gurvinder Singh is not sustainable. It is further argued that two of the co-accused of the petitioner, who had faced the full length trial stands acquitted vide judgment dated 11.01.2017. It is also submitted that at the time of the incident, the petitioner was minor. Counsel for the petitioner has also argued that the petitioner is ready to appear before the trial Court and face the proceedings, in accordance with law.

Notice of motion for 26.04.2019.”

Prayer in CRM-M-9580-2019 is identical wherein it is prayed that order dated 29.3.2014 passed by the trial Court vide which the petitioner has been declared as proclaimed person in FIR No.147 dated 6.9.2013 registered under Sections 420/406/467/120-B IPC at Police Station Dirba, District Sangrur, be set aside.

Counsel for the petitioner submits that in pursuance of order dated 4.2.2019, petitioner Lakhwinder Singh appeared before the trial Court and has been released on interim bail.

Counsel for the petitioner further submits that petitioner Satnam Singh in CRM-M-9580-2019 will appear before the trial Court within a period of 15 days from today.

Learned State counsel, on instructions from ASI Darshan Singh has no serious objection if the petitioner-Satnam Singh is granted the similar relief as granted to petitioner-Lakhwinder Singh.

Accordingly, CRM-M-5044-2019 filed by petitioner-Lakhwinder Singh is allowed and order dated 4.2.2019 passed by this Court is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C., and deposit of costs of Rs.15,000/-.

The petitioner Satnam Singh in CRM-M-9580-2019 is further directed to appear before the trial Court within a period of 15 days from today and the trial Court will release the petitioner on interim bail, subject to his furnishing bail/surety bonds and deposit of costs of Rs.15,000/-.

Both the petitions are, accordingly, disposed of.

October 19, 2019
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No