

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

1. CRM-M-31553-2015 (O&M)
Date of decision : 11.04.2019

Sadhu Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

2. CRM-M-29140-2018 (O&M)
Date of decision : 11.04.2019

Sadhu Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ruhani Chadha, Advocate for the petitioner
(In both the cases)

Mr. Ramdeep Partap Singh, DAG, Punjab.
(In both the cases)

Mr. D.K. Bhatti, Advocate for respondent No.2
(In both the cases)

ANIL KSHETARPAL, J. (ORAL)

This order shall dispose of CRM-M-31553-2015 and CRM-M-
29140-2018.

A complaint was filed by Sh. Kulbhushan Bagga under Sections 120B/417/420/465/467/468/471 of the Indian Penal Code against 10 accused.

During the pendency of the criminal complaint, accused No.10 who is petitioner herein was declared proclaimed offender as he shifted to foreign country. Criminal complaint as such was withdrawn by the complainant on 10.04.2013 and the Judicial Magistrate Ist Class, Hoshiarpur passed the following order:-

“File received from the learned Appellate Court received. Today Kulbhushan Bagga complainant has suffered a statement that he does not want to peruse the present complaint and the same may be dismissed as withdrawn. In view of the statement suffered by the complainant, the present complaint is hereby dismissed as withdrawn. Accused are ordered to be discharged. Their bail bonds/surety bonds stands discharged. File be consigned to the record room.”

The petitioner who came back from USA filed a petition seeking quashing of the complaint as well as subsequent proceedings. He also filed another criminal miscellaneous i.e. CRM-M-31553-2015 challenging the order passed by the Court declaring him proclaimed offender on 21.12.2010. On 21.09.2016, while passing order in CRM-M-31553 of 2015, the petitioner was directed to surrender before the trial Court and on doing so, he was directed to be released on interim bail.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner has surrendered and he has been released on bail.

Keeping in view the fact that the complaint which was filed by naming 10 accused stands withdrawn, no purpose would be served by keeping the proceedings alive. In any case, the petitioner has already appeared and has been released on regular bail.

In view thereof, the order declaring him proclaimed offender is set aside. The proceedings would be deemed to have come to an end qua petitioner also.

Accordingly, both the petitions are disposed of.

11.04.2019

Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**