

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

**CRM-M-18036-2019
DATE OF DECISION:-08.05.2019**

JASPAL SINGH

...PETITIONER...

V.

STATE OF PUNJAB AND ANR.

...RESPONDENTS...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Jasraj Singh, Advocate
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing FIR No.109 dated 28.07.2003 registered under Sections 307, 452, 506, 148 and 149 IPC at Police Station Mahilpur, District Hoshiarpur and all subsequent proceedings arising therefrom including order dated 12.09.2014.

A perusal of zimni orders reveals that after personal appearance of the petitioner was exempted, he absented himself on 29.04.2014. Therefore, his bail orders were cancelled and surety bonds were forfeited to the State. Non-bailable warrants were ordered to be issued. Notice to the surety was also issued. Ultimately, non-bailable warrants issued against the petitioner received back with the report that he had gone abroad. In these circumstances, the trial court, realising

that presence of the petitioner cannot be secured through non-bailable warrants, issued proclamation under Section 82 Cr.P.C. and notice under Section 446 Cr.P.C. of his surety for 25.07.2014. Consequently, the trial court, vide order dated 12.09.2014 declared the petitioner as proclaimed offender.

Heard.

Considering overall facts and circumstances, petitioner is directed to appear before Mr. Parminder Singh Rai, learned Additional Sessions Judge, Hoshiarpur, who has decided the case of co-accused of the petitioner vide judgment dated 30.05.2017, or his successor Court, within four weeks, who would pass appropriate orders to proceed against the petitioner in accordance with law. Bail application of the petitioner, if presented, shall be decided within next seven days. In case of non-appearance of the petitioner before the learned Additional Sessions Judge within the stipulated period, this petition shall stand automatically dismissed.

Disposed of.

08.05.2019

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:
whether reportable:

Yes/No
Yes/No