

212.

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

CRM-M-39914-2018

Date of decision: 26.08.2019

SWARAN SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Vaibhav Narang, Advocate, for the petitioner.

Mr. Saurav Khurana, DAG, Punjab, for respondent No.1.

Mr. Ankit Khrbanda, Advocate, for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing the Criminal Complaint No.888 dated 15.04.2013/11.06.2015 (Annexure P-1) and summoning order dated 08.01.2016 (Annexure P-2) as well as order dated 27.03.2017 (Annexure P-4) passed by learned Judicial Magistrate Ist Class, Amritsar, whereby the petitioner has been declared Proclaimed Person.

Vide order dated 12.09.2018, this Court passed the following order:-

“Learned counsel for the petitioner herein contends that the petitioner is working in Dubai for the past several years and as per the enquiry report itself, he has been residing separately from the complainant and her husband and it is also argued that the complainant for the reasons best known to her had not proceeded against her husband and the other family members with whom she resided with, however, is pursuing against the

petitioner herein. He is ready to return India and join proceedings in the complaint case and, therefore, seeks protection from this Court since he has been declared as a proclaimed person by order dated 27.03.2017 during the time he was residing in Dubai.

Notice of motion for 30.10.2018.

In view of the fact that the petitioner is residing in Dubai and is ready to face the complaint, arrest of the petitioner is stayed for a period of fortnight and the petitioner is directed to appear before the trial Court and furnish bail bonds and on doing so the trial Court shall release him on bail subject to its satisfaction. However, it is made clear that in case the petitioner does not appear before the trial Court within the stipulated period of fortnight any interim protection granted today shall stand automatically vacated.”

Counsel for the petitioner states that pursuant to the order dated 12.09.2018, petitioner has appeared before the trial Court and has been admitted on bail. At the same time, he was also summoned. He seeks permission to withdraw the present petition, however, with liberty to challenge the summoning order by moving appropriate petition as per law.

Dismissed as withdrawn with liberty as aforesaid.

However, it is made clear that in case the order of summoning is challenged within a month from today, the same shall not be dismissed on the ground of limitation alone.

(HARI PAL VERMA)
JUDGE

26.08.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No