

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20341-2019

Date of Decision: 12.09.2019

Pawan Sharma @ Pawan Kumar

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Preetwinder Singh Dhaliwal, Advocate, for the petitioner.

Mr. Rajat Bansal, A.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 28.08.2019, an affidavit of Sh. Raj Bachan Singh Sandhu, Senior Superintendent of Police, Faridkot, has been filed in Court today by learned State counsel, in which it is stated that upon the petitioner surrendering before the trial Court, pursuant to the order passed by this court on 06.05.2019 (the said order having been passed not in the presence of State counsel), no intimation was sent by the trial Court to that effect to the police, with even the warrants earlier issued on the directions of that Court not “recalled”.

Consequently, he submits that the ASI who had come to assist learned State counsel on 28.08.2019, was not aware of whether the petitioner had surrendered or not.

The affidavit is taken on record and the explanation being completely logical, is accepted.

Now even a report from the trial Court is on record, dated 02.09.2019, to the effect that the petitioner appeared before that Court on 10.05.2019 and was admitted to interim bail.

That being so, and it being a specific contention of learned counsel that the petitioner was never declared to be a Proclaimed Person/Offender in the case out of which this petition arises, the petition is disposed of, with the order dated 06.05.2019 made absolute, subject to any further conditions that the trial Court may wish to impose, to ensure that the petitioner continues to appear before it as and when summoned.

A copy of this order be intimated to the trial Court.

September 12, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.