

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

CRM-M-44525 of 2018 (O&M).
Decided on:- December 16, 2019.

Jaswinder Singh.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- None for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

The petitioner has filed present petition under Section 482 Cr.PC for quashing the order dated 29.11.2010 passed by learned Judicial Magistrate 1st Class, Dasuya (Annexure P-5), whereby he was declared as a proclaimed offender.

On 09.10.2018, while issuing notice to the respondents, this Court had passed the following order:

“The petitioner is seeking quashing of order dated 29.11.2010 passed by the Judicial Magistrate Ist Class, Dasuya (Annexure P/5) whereby he has been declared as proclaimed offender in FIR No.221 dated 24.11.2009, under Sections 498-A, 406 IPC, registered at Police Station Tanda, District Hoshiarpur.

Learned counsel for the petitioner contends that the FIR is an offshoot of a matrimonial dispute between the complainant and the petitioner which has now been resolved and the matter has been compromised. He also contends that the petitioner had been residing in Germany while he was served at his native village in district Hoshiarpur.

Issue notice to the respondents.

At the asking of the Court, Ms. Rajni Gupta, Sr. DAG, Punjab accepts notice on behalf of respondent No.1.

Mr. Vishal Munjal, Advocate has put in appearance on behalf of respondent No.2/complainant and on instructions from the complainant/respondent No.2, who is present in Court, states that the matter has indeed been compromised.

List on 12.11.2018.

In the meantime, the petitioner shall appear before the trial Court within three weeks and in the event of doing so, he would be protected from arrest and submit his bail bonds to the satisfaction of the trial Court.”

Learned State counsel, on instructions from ASI Amarjit Singh, states that despite there being the order dated 09.10.2018 passed by this Court, the petitioner has not appeared before the trial Court and continues as a proclaimed offender.

In view of the intimation so given by learned State counsel on instructions from the investigating officer, this Court finds that the petitioner is not inclined to comply with the order dated 09.10.2018 passed by this Court.

Accordingly, the present petition is hereby dismissed.

However, in case learned counsel for the petitioner satisfies this Court that pursuant to the order dated 09.10.2018 passed by this Court, the petitioner has appeared before the trial Court, the petitioner would be at liberty to seek revival of this petition.

December 16, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No