

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

CRM-M-47434-2018

Date of decision: October 19, 2019

Kewal Singh @ Bagga

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Dilawar Singh, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner pray for grant of quashing of order dated 3.2.2017 passed by the trial Court vide which the petitioner was declared a proclaimed offender in FIR No.131 dated 25.12.2000 under Sections 326, 324, 148, 149 IPC, registered at Police Station Verowal, District Tarn Taran.

The operative part of the order dated 16.11.2018 is reproduced below :-

“Learned Counsel for the petitioner submits that the petitioner was declared innocent during the investigation and was summoned under Section 319 Cr.P.C. during pendency of the trial and was never served with the summons, as he was away and was working in Gujarat. It is further submitted that the accused persons namely Kuldip Singh and Jassa Singh, who faced the full length trial, have been acquitted by the trial Court vide judgment dated 3.12.2017 passed by the Chief Judicial Magistrate, Tarn Taran and one another co-accused Baljit Singh,

who was also declared a proclaimed offender, has already been granted the concession of regular bail and is facing the trial. Learned counsel further submits that the petitioner is ready to surrender before the trial Court and face the trial.

Notice of motion for 17.12.2018.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 16.11.2018, has already appeared before the trial Court and also deposited the costs of Rs.15,000/-.

Learned counsel for the State, on instructions from the Investigating Officer has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and order dated 16.11.2018 passed by this Court, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

October 19, 2019
satish

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No