

289.

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

CRM-M-22522-2019

Date of decision: 07.08.2019

SUMIT KUMAR MANN THROUGH SPA ANTESH KUMAR
... Petitioner

versus

STATE OF HARYANA
.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Petitioner in person.

HARI PAL VERMA, J. *(Oral)*

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of the order dated 20.04.2015 (Annexure P-1) passed by learned Judicial Magistrate Ist Class, Sonapat whereby the petitioner was declared a Proclaimed Person in FIR No.33 dated 09.07.2014 (Annexure P-2) under Sections 323, 406, 498-A, 506, 34 of IPC registered at Women Police Station, Sonapat.

While issuing notice of motion in the case, this Court vide order dated 17.05.2019 directed the petitioner to appear before the trial Court on or before 07.08.2019 and on his appearance, the trial Court was directed to admit him on bail on furnishing adequate bail and surety bonds to its satisfaction, however, that was subject to payment of Rs.50,000/- to be paid to the PGIMER, Chandigarh.

The petitioner-Sumit Kumar Mann has filed the present petition through Special Power of Attorney Antesh Kumar. Today, petitioner is

passed by this Court, he has appeared before the learned Judicial Magistrate Ist Class on 25.07.2019 and has been admitted on bail, and the learned trial Court has adjourned the case to 18.10.2019. He submits that he has filed a separate petition i.e. **CRM-M-3619-2019** titled as **Sumit Mann and others Versus State of Haryana and another** seeking quashing of FIR on the basis of compromise, wherein the parties have already appeared before the trial Court and got their statements recorded in support of the compromise. He has produced a certified copy of the order dated 25.07.2019 passed by learned Judicial Magistrate Ist Class, Sonapat, which is taken on record. The order dated 25.07.2019 reads as under:-

“File put up before me being Area Magistrate on application for acceptance of bail bond moved by accused Sumit through his counsel. Copy of orders dated 17.05.2019 passed by the Hon'ble Punjab & Haryana High Court in CRM No.22522 of 2019 placed on file vide which accused Sumit has been ordered to be released on bail to the satisfaction of Illaqua/Duty Magistrate. Order is confirmed by ahlmad by putting computer generated copy. Copy of receipt of Rs.50,000/- paid by accused placed on record. Heard. The accused is hereby directed to furnish bail bonds in the sum of Rs.1,00,000/- with one surety in the like amount on behalf of accused Sumit. Accordingly, requisite bonds furnished. Surety bond is accepted and attested. Personal bond be accepted by jail authority. Release warrant of accused Sumit be issued forthwith. He be released in this case only. Intimation be sent to Hon'ble High Court. Now, to come up on 18.10.2019, the date already fixed.”

In view of the fact that the petitioner has appeared before the trial Court and has been admitted on bail, and in the connected petition i.e.

CRM-M-3619-2019 seeking quashing of FIR on the basis of compromise, the parties have got their statements recorded and it being a matrimonial dispute between the parties and the petitioner has appeared before the trial Court, the order dated 20.04.2015, declaring the petitioner as a Proclaimed Person, is set aside.

Accordingly, present petition is allowed.

Since the petitioner has to rush to Denmark to join his duty, he is at liberty to inform the trial Court about passing of the present order.

(HARI PAL VERMA)
JUDGE

07.08.2019
sanjeev

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