

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

267

CRM-M-46673-2019

Date of decision: 13.11.2019

Jaswinder Singh @ Raju and another

.....Petitioners

Versus

State of Punjab & another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Arshdeep Singh Brar, Advocate
for the petitioners.

Mr. Sandeep Singh Deol, D.A.G. Punjab
for respondent No.1-State.

Mr. K.S. Brar, Advocate for respondent No.2.

ARUN KUMAR TYAGI, J (ORAL)

The petitioners have filed the present petition for setting aside order dated 15.10.2018 passed by the learned Sub Divisional Judicial Magistrate, Nihal Singh Wala, District Moga in criminal complaint bearing CIS No.SC/178/2018, case No.71 of 29.10.2018 and CNR No.PBMO010067132018 filed under Sections 307, 447, 511, 148 and 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959 vide which the petitioners have been declared “proclaimed offenders”.

Learned Counsel for the petitioner has submitted that the petitioners have been falsely implicated in the present case. The incident as mentioned in this complaint is of the year 2011 and the complaint was filed in the year 2017. Thereafter, the petitioners along with their co-accused were summoned to face trial in the year 2018. The petitioners, who are presently residing at Canada, never visited India after 2015. However, at the time of arguments, learned Counsel for the petitioners has not pressed the prayer for quashing of the order dated 15.10.2018 and submitted that the petitioners are ready and willing to surrender before the trial Court and join the proceedings and

prayed that the trial Court may be directed to expedite the trial and release the petitioners on bail.

Learned State Counsel and learned Counsel for respondent No.2 have no objection if the petitioners are directed to surrender before the trial Court and join the proceedings.

In view of the facts and circumstances of the case, the petitioner are directed to surrender before the trial Court within four weeks from today and in case the petitioners so surrender before the trial Court, they shall be released on regular bail on furnishing of bail bonds by them to the satisfaction of the trial Court.

The trial Court is directed to expedite the proceedings and conclude the trial preferably within two months from the date of appearance of the petitioners before it. However, the trial Court shall be at liberty to seek extension of time in case of its inability to conclude the trial within two months due to reasons beyond its control.

With the aforesaid directions, the present petition stands disposed of.

(ARUN KUMAR TYAGI)
JUDGE

13.11.2019

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