

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

CRM-M-16255 of 2019.

Decided on:- March 13, 2020.

Iqbal Singh.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

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

Present:- Mr. Rakesh Kumar, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, A.A.G., Punjab.

Mr. N.S. Dadwal, Advocate for
Mr. Jagjit Singh, Advocate
for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of the order dated 07.12.2018 passed by learned Judicial Magistrate First Class, Kapurthala, whereby the petitioner was declared as a proclaimed person in cross-version case bearing DDR No.16 dated 27.11.2016 under Sections 323, 324, 354, 148, 149 and 379 IPC as well as Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 recorded in FIR No.97 dated 19.11.2016 under Sections 295, 323, 341, 148 and 149 IPC registered at Police Station Subhanpur, District Kapurthala.

Learned counsel for the petitioner submits that the petitioner is a permanent resident of Canada and has never been served in the case. He was declared as a proclaimed person vide order dated 07.12.2018 passed by the Judicial Magistrate First Class, Kapurthala.

He further submits that though the cross-version case registered against the petitioner is false, but the petitioner is ready to appear before the trial Court to face the trial.

On November 07, 2019, this Court had passed the following order:

“Learned counsel for the petitioner states that the petitioner could not appear before the trial Court as he is confined to bed due to spine injury. However, he submits that if one more opportunity is granted to the petitioner, he will surrender before the trial Court.

On his request, adjourned to 13.03.2020.

Meanwhile, in case the petitioner surrenders before the trial Court within a period of one month from today, he shall be admitted on interim bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court, however, subject to payment of costs of Rs.25,000/- to be deposited in the Lawyers' Welfare Fund of Bar Association of this Court.

The petitioner shall not be arrested from the airport till his appearance before the Court.”

Learned counsel for the petitioner submits that pursuant to the aforesaid order, the petitioner has deposited the costs of Rs.25,000/- with the Lawyers' Welfare Fund of Bar Association of this Court and has been released on interim bail by learned Judicial Magistrate 1st Class, Kapurthala on 06.12.2019.

He further states that the matter has been compromised between the parties and statements of the parties in support of compromise have been recorded by the Judicial Magistrate 1st Class, Kapurthala.

This fact has not been disputed by learned counsel for respondent No.2-complainant.

In view of the above, the order dated November 07, 2019 passed by this Court is made absolute.

Disposed of.

March 13, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No