

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

CRM-M-16526-2020 (O&M)

Date of Decision:02.09.2020

Paramjit Singh @ Karam Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. R.K. Dadwal, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. A.G. Punjab.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 482 Cr.P.C. seeking quashing of the order dated 17.01.2020 in FIR No. 166 dated 12.09.2014, under Sections 406/420 IPC, registered at Police Station Model Town, District Hoshiarpur, whereby petitioner was declared as a proclaimed person.

While issuing notice of motion on 25.06.2020, the following order was passed by this Court:-.

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 482 Cr.P.C. seeking quashing of order dated 17.01.2020 passed by learned JMIC, Hoshiarpur declaring the petitioner to be a proclaimed person pertaining to FIR No.166, dated 12.09.2014, under Sections 406/420 IPC, registered at Police Station Model Town, District Hoshiarpur.

Counsel submits that during the course of investigation, the petitioner had been found to be innocent. It is only after presentation of challan that the Court in an order while exercising power under Section 319 Cr.P.C. had called upon the petitioner to face trial as an additional accused. The date of such order is stated to be 19.04.2019. Counsel further submits that the petitioner had never been served for the proceedings under Section 319 Cr.P.C.

It is contended that the intent of the petitioner was not to evade trial and he is even now ready and willing to appear before the Court.

Notice of motion, returnable for 02.09.2020.

In the meanwhile, it is directed that in case petitioner duly appears before the Illaqa Magistrate/Duty Magistrate, Hoshiarpur within a period of one weeks from today, he would be entitled to ad interim protection as regards arrest.

Learned State counsel upon instructions from ASI Paramjit Singh, informs the Court that the petitioner has since put in appearance before the Trial Court and has furnished his bail-bonds. Court has further been apprised that on account of petitioner having joined the trial proceedings, the PO order has been recalled.

In view of the above, nothing survives in the instant petition and the same is disposed of as infructuous.

(TEJINDER SINGH DHINDSA)
JUDGE

02.09.2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No