

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33362-2020

Date of Decision: 16.10.2020

Rajat Garg

....Petitioner

Versus

Tej Partap Singh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Alok Mittal, Advocate,
for the petitioner.

KARAMJIT SINGH, J. (Oral)

The case has been taken up through Video Conferencing due to prevailing situation of COVID-19.

This petition has been filed by petitioner-Rajat Garg seeking quashing of order dated 15.03.2018 (Annexure P-7) passed by the Court of Judicial Magistrate Ist Class, Patiala, whereby, the petitioner has been declared as a proclaimed person in criminal complaint bearing number COMA/4058/2016 dated 16.11.2016 (Annexure P-1).

Learned counsel for the petitioner submitted that the petitioner failed to appear before the learned trial Court, as he was having some family problem. Due to non-appearance of the petitioner, he was declared a proclaimed person, vide impugned order dated 15.03.2018. Learned counsel for the petitioner further submitted that petitioner is ready to settle all the disputes with respondent No.1-Tej Partap Singh. So, prayer is made that he be allowed to appear before the learned trial Court.

After hearing learned counsel for the petitioner, I am of the view that this petition can be disposed of *in limine* by keeping the impugned order

dated 15.03.2018 in abeyance. Accordingly, this petition is hereby disposed of with direction that impugned order dated 15.03.2018 (Annexure P-7) is to be kept in abeyance for a period of next three weeks to enable the petitioner to appear before the learned trial Court and to move appropriate application for having the impugned order set aside, which would be considered by the learned trial Court, in accordance with law. The petitioner shall be admitted to interim bail to the satisfaction of the learned trial Court, till the disposal of proclaimed person proceedings.

However, it is made clear that in case, the petitioner failed to surrender before the learned trial Court within the specified time, any interim protection allowed to him by this Court shall stand automatically vacated.

16.10.2020

adhikari

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No