

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 35960 of 2020 (O&M)
Date of Decision: 04.11.2020

Gurwinder Singh @ Ginda

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gursimran Singh Jossan, Advocate
for the petitioner.

Mr. Simranjeet Singh, Advocate
for respondents No. 2 to 4.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-27209-2020

The application is allowed as prayed for.

CRM-M-35960-2020

This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 112 dated 10.11.2014 under Sections 307, 323, 324, 336, 341, 148, 149 IPC and Sections 25 and 27 of the Arms Act, 1959 registered at Police Station Mallanwala, District Ferozepur on the basis of compromise dated 21.9.2020 (Annexure P-2).

At the outset, learned counsel for the petitioner submits that the petitioner was declared proclaimed offender on 23.2.2016 and the other co-accused have been acquitted by the trial Court vide judgment dated

has been effected between the parties on 21.9.2020 (Annexure P-2). Learned counsel for the petitioner submits that the petitioner is ready to surrender before the trial Court.

Notice of motion.

On the asking of the Court, Mr. M.S.Nagra, AAG, Punjab and Mr. Simranjeet Singh, Advocate accept notice on behalf of the State and private respondents, respectively.

The objective of the coercive mechanism prescribed under the Code of Criminal Procedure is to ensure that the accused remains present before the Court to receive the orders and punishments as are passed qua the accused. If the accused shows his sincere intention and desire to appear before the Court, then it would not be unjustified to protect him from being arrested.

Without commenting on the merits of the case, this petition is disposed of with a direction to the petitioner to surrender before the trial Court within 10 days from today and move an application seeking bail. On his doing so, the trial Court would decide the application within a week.

(HARNARESH SINGH GILL)
JUDGE

November 04, 2020
Gurpreet

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