

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

281

CRM-M-47379-2019

Date of Decision:14.01.2020

Deepak Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: None for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

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HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of order dated 05.08.2019 passed by learned Additional Sessions Judge, Ludhiana, whereby the petitioner has been declared as a proclaimed offender in FIR No.11 dated 13.01.2016 under Sections 363, 366, 406 IPC, registered at Police Station Salem Tabri, Ludhiana.

On November 07, 2019 when the case was listed, this Court had passed the following order:-

*“Prayer in this petition filed under Section 482 CrPC is for quashing of order dated 05.08.2019 passed by Additional Sessions Judge, Ludhiana, whereby the petitioner has been declared as a proclaimed offender.*

*Counsel for the petitioner contends that the very factum of petitioner’s being declared as proclaimed offender vide order dated 05.08.2019 was never in the notice of the petitioner and therefore, under this bona fide impression, he*

*filed a petition for grant of anticipatory bail. However, now, the factum of his being declared as proclaimed offender has come to his notice and therefore, he has filed the present petition. He has submitted that the victim while getting her statement recorded on 08.02.2019, has stated that she had accompanied the petitioner at her own will without any pressure and the petitioner has taken her to her parental house at Nakodar, where she is staying with her parents and children. He submits that the petitioner is ready to surrender before the trial Court.*

*Notice of motion for 14.01.2020.*

*In the meanwhile, the order dated 05.08.2019 is stayed, in case the petitioner surrenders before the trial Court within one week from today, he shall be admitted on interim bail subject to furnishing of his bail bonds and surety bonds to the satisfaction of the trial Court. However, this will be subject to deposit of Rs.10,000/- with the High Court Bar Association.”*

No one is present on behalf of the petitioner.

In view of the order reproduced above, the present petition is disposed of at this stage and the order dated November 07, 2019 passed by this Court, is hereby made absolute, provided the petitioner has surrendered before the trial Court during the period so stipulated by this Court in terms of the order dated November 07, 2019. However, in case petitioner has not surrendered before the trial Court, the present petition shall be deemed to have been dismissed.

**January 14, 2020**  
**seema**

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No