

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55160-2019

Date of Decision: 26.02.2020

Japdeep Singh @ Jappa @ Jagdip Singh

.. Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Saurabh Kaushik, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Jasraj Singh, Advocate
for respondent No.2.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 482 Code of Criminal Procedure for quashing of impugned order dated 27.10.2017 (Annexure P-6), whereby he has been declared proclaimed offender and all subsequent proceedings arising out of case NACT No.210 of 2015 dated 06.11.2015, under Section 138 Negotiable Instruments Act, 1881 (Annexure P-1) titled as Tara Singh Vs. Jagdeep Singh @ Japa.

On 20.12.2019, the following order was passed by the Court:

“Learned counsel for the petitioner contends that the petitioner was facing prosecution in case FIR No.45 dated 28.02.2015 registered under Sections 420, 465, 467, 468, 471, 419 and 120-B IPC and Sections 65, 66, 66-A of Information Technology Act, 2000 at Police Station Tanda, District Hoshiarpur lodged by complainant, namely, Tara Singh wherein he was

declared as proclaimed offender, however, vide order dated 12.12.2019 passed in CRM-M-31225-2019 (Annexure P-8), the petitioner was allowed to surrender and a direction was issued to the trial Court to grant him bail. He submits that the complainant had also filed a complaint under Section 138 Negotiable Instruments Act, 1881 which is offshoot of the FIR and the petitioner was declared proclaimed offender in the complaint case as well. According to him, the petitioner is willing to join the proceedings.

Notice of motion for 26.02.2020.

Let the petitioner surrender before the trial Court within seven days from today. On appearance of the petitioner, trial Court shall admit him on interim bail subject to his furnishing requisite bail bonds and surety bonds to its satisfaction.

To be heard along with CRM-M-31225-2019.”

Learned counsel for the petitioner has submitted that in compliance of the order dated 20.12.2019, the petitioner submitted himself before the trial Court on 24.12.2019. He has produced the copy of the order dated 24.12.2019 passed by trial Court, whereby the petitioner was released on interim regular bail.

Learned counsel for respondent No.2 and learned State counsel do not dispute the above fact and state that the petitioner submitted himself before the trial Court on 24.12.2019 and furnished the bail bonds and surety bonds.

Considering the above, the impugned order dated 27.10.2017 declaring the petitioner proclaimed offender is set aside. Further, the petitioner be allowed to remain on the bail bonds and surety bonds furnished by him before the trial Court on 24.12.2019.

The petition is allowed.

26.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No