

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

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CRM-M-2119-2021 (O&M)

Date of decision: 18.01.2021

Ranjit Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-1044-2021

Application is allowed as prayed for.

CRM-M-2119-2021

Prayer in this petition is for quashing of order dated 22.08.2019 (Annexure P-6) whereby the petitioner was declared as a proclaimed offender in case bearing FIR No.112 dated 10.11.2014 registered under Sections 307, 323, 324, 336, 341, 148, 149 IPC and Sections 25 and 27 of the Arms Act at Police Station Mallanwala, District Ferozepur.

Learned counsel for the petitioner states that during investigation the petitioner was declared innocent, on the basis of a detailed enquiry conducted by Deputy Superintendent of Police (Investigation), Ferozepur, which was duly accepted by Senior Superintendent of Police, Ferozepur, and no challan was presented against him. Thereafter, an application under Section 319 Cr.P.C. moved by the prosecution was allowed on 21.08.2018 and the

petitioner along with other co-accused was summoned whereas the petitioner remained out of country from 13.07.2017 to 04.08.2017 and from 10.10.2017 to 20.11.2020. The proceedings initiated against the petitioner are not as per law. Moreover, all the other accused except the petitioner and Gurwinder Singh alias Gindu, who were declared proclaimed offenders, stand acquitted. It has also been pointed out that the compromise dated 29.11.2020 (Annexure P-7) has been effected between the parties.

Notice of motion.

Mr. Randhir Singh Thind, D.A.G., Punjab, accepts notice on behalf of the respondent-State. He does not dispute the factual position as noticed above.

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 Additional Sessions Judge, Ferozepur on 04.02.2021, subject to his depositing costs of Rs.50,000/- with the High Court Lawyers' Welfare Fund within 15 days from today. On doing so, he shall be released on bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the trial Court.

(HARNARESH SINGH GILL)
JUDGE

18.01.2021

Aman Jain

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No