

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

CRM-M-18930 of 2021

Date of Decision: 30.06.2021

Tarlok Nath

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 482 Cr.P.C. seeking quashing of the order dated 23.01.2013 passed by learned Judicial Magistrate First Class, Jalandhar (Annexure P-3), whereby the petitioner has been declared proclaimed offender in FIR No. 16 dated 05.10.2012, under Sections 406, 498-A IPC, registered at Police Station NRI, Jalandhar.

It is the case of the petitioner he got married to the complainant on 28.07.2008. After three months of the marriage petitioner went Abroad for work. He then returned India in the month of August 2011 and again returned back after couple of months. It is the case of the petitioner that he has not come back to India since then.

The aforesaid FIR was registered on 05.10.2012 when the petitioner was abroad.

Learned counsel for the petitioner contends the petitioner

was not aware of the registration of the FIR. No summons were even received on the petitioner. It was never the intention of the petitioner to evade the process of law. He states that the petitioner is ready to surrender before learned trial Court. He also states that now the dispute with the complainant has been resolved and petition under Section 13-B of Hindu Marriage Act, for dissolution of marriage between the petitioner and the complainant has been filed, which is pending. The petitioner has also filed a petition bearing CRM-M-31664 of 2020 for quashing of the FIR on the basis of compromise, which is pending for 24.08.2021.

Taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before 20.08.2021. On his doing so, he shall be released on interim bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking to continue appearing before the Court as and when required apart from following all the terms and conditions fixed in this respect. This shall subject to deposit an amount of Rs.50,000/- by the petitioner with the Chief Minister Punjab Covid Relief Fund.

[HARINDER SINGH SIDHU]
JUDGE

June 30, 2021
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no