

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

CRM-M-20389-2021(O&M)

Date of Decision: July 02, 2021

Rajwinder Singh @ Sonu

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. S.S. Salar, 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 03.09.2010 (P-6) passed by learned Chief Judicial Magistrate, Jagraon, District Ludhiana, whereby, the petitioner has been declared proclaimed offender in case FIR No.65 dated 06.08.2006, under Sections 452, 307, 506 and 34 IPC, registered at Police Station Sudhar, District Ludhiana.

The FIR was lodged on the complaint of one Harjinder Kaur alleging that on 06.08.2006 her son namely Sukhchain Singh was present in her sister's house at Village Akalgarh, then Varinderpal Singh @ Lucky called her son from the street and he came out of the house in the courtyard. At that time, Varinderpal Singh was accompanied by one person, who raised *lalkara* and Varinderpal Singh inflicted a dagger blow on the son of the complainant, hitting him on the left flank. On raising hue and cry, the assailants fled away. The injured Sukhchain Singh was taken to the hospital.

Later, during investigation, the person who was accompanying Varinderpal Singh @ Lucky was identified as the petitioner. Vide order dated 03.11.2006 passed in CRM-M-53297-2006, the petitioner was granted anticipatory bail in the said case.

Ld. counsel for the petitioner has contended that at the time of alleged occurrence, the petitioner along with his parents was residing in a rented accommodation. Later, they shifted to their own house constructed by his parents and then left for Lebanon to earn his livelihood. His passport was retained by the employer company and he even could not meet his widowed mother for 14 years. The co-accused with whom the petitioner was in contact, also died during the trial and thus, the petitioner could not know the progress of the proceedings in the Trial Court. The notices, summons and proclamation were issued at the old address of the petitioner, which had been vacated long ago.

It is submitted by learned counsel for the petitioner that no summons were ever received by the petitioner in that regard and he was out of the country since 2006. Learned counsel for the petitioner states that the petitioner never intended to evade the proceedings and he is ready to surrender and face the trial.

Considering the facts and circumstances of the case, let the petitioner appear before the Trial Court on or before 25.08.2021. On his doing so, he shall be enlarged on bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. This shall be subject to costs of Rs.20,000/-, to be deposited by the petitioner with the Director, PGIMER, Chandigarh (Poor Patient Welfare Fund). The petitioner

shall also file an undertaking before the concerned Court that he shall attend the trial on each and every date, without any default.

Petition stands disposed of accordingly.

July 02, 2021

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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No