

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

**CRM-M-27595-2021
DECIDED ON: 23rd JULY, 2021**

PUSHVINDER SINGH @ PUSHWINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Sunil Garg, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This is a petition under Section 482 Cr.P.C. for quashing of order dated 8th March, 2021 whereby petitioner was declared as Proclaimed Offender [hereinafter 'P.O.'], in FIR No. 85, dated 14th November, 2018, under Sections 406/467/468/471/420/120-B IPC, registered at Police Station Sanaur, District Patiala.

[3] As per the case set up, copies of documents of car owned by Ravinder Singh were used by the petitioner for obtaining a loan of ₹4,50,000/- to purchase the car. The car was sold to some one else by Ravinder Singh.

[4] Learned counsel for the petitioner submits that he was not aware of the FIR. He further submits that entire loan was repaid before the

registration of FIR. In order to show his bonafides, the petitioner is ready to deposit cash security of ₹1,00,000/- with the trial Court, subject to outcome of the trial.

[5] Learned State counsel appearing on advance notice, opposes the prayer made.

[6] The machinery provisions provided in the Code of Criminal Procedure are to ensure the presence of the accused as and when required during the trial. The idea behind is that there should be speedy conclusion of the trial. The offer made by the petitioner, if accepted, ensures the presence of the accused during the trial.

[7] Considering the facts in totality and offer made by the petitioner, the order dated 8th March, 2021, declaring the petitioner as P.O. is quashed subject to his depositing ₹1,00,000/-, in cash, before the trial Court within 15 days. The amount deposited would be subject to outcome of the trial. The amount will be kept in an FDR of a nationalized bank. In case, the petitioner fails to appear before the trial Court as and when called for, the amount so deposited shall be forfeited.

[8] The petition is allowed.

(AVNEESH JHINGAN)
JUDGE

23rd JULY, 2021
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>