

Date of Decision : 20.07.2021

...Petitioner

Versus

...Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Deepak Aggarwal, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 482 Cr.P.C. is for quashing of FIR No. 38 dated 17.04.2012 registered under Sections 307/336/325/323/34 IPC 1860 and Section 30 of Arms Act 1959 at Police Station Talwandi Sabo and all subsequent proceedings arising therefrom.
3. Learned counsel contends that since all the co-accused have been acquitted and the petitioner has not been declared proclaimed offender till date, therefore he may be granted protection against arrest and permitted to appear before the learned trial Court to face trial.
4. I have considered the submissions of the learned counsel for the petitioner.
5. The petitioner stopped appearing before the learned trial

court w.e.f 07.07.2017 whereas co-accused were acquitted vide judgment dated 17.09.2019. The mere fact that the co-accused were acquitted after the petitioner stopped appearing before the learned trial Court, is no ground for this Court to stay the arrest of the petitioner. The petitioner, if so advised, may move an appropriate application before the learned trial Court in accordance with law for grant of bail as well as for permission to join proceedings before the learned trial Court. In case the petitioner moves a petition for bail, the learned trial Court is directed to consider and decide the same in accordance with law as expeditiously as possible.

6. Petition disposed of with the aforementioned directions.

20.07.2021
‘Renu’

(B.S. Walia)
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.