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

**CRM-M-39310-2021
Date of decision 11.10.2021**

Bachiter Singh @ Soni

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R.S. Sidhu, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

[1] Today physical hearing was held but on request of learned counsel for the petitioner, the matter is taken up by way of hybrid hearing.

[2] This petition is filed seeking quashing of order dated 2nd August, 2018 passed by Sub Divisional Judicial Magistrate, Patti, District Tarn Taran whereby the petitioner has been declared Proclaimed Offender in case No. CHI 173 of 2018.

[3] On 21st September, 2021, following order was passed:-

"Due to COVID-19 situation, the Court is convened through video conference.

This is a petition seeking quashing of order dated 2.8.2018, whereby the petitioner was declared Proclaimed Offender in case No. CHI 173 of 2018 (in FIR No. 160 dated 30.8.2013, under Sections 336, 323, 148, 149 IPC (Section 307 IPC deleted later on) and Sections 25 and 27 of the Arms

Act, 1959, registered at Police Station Patti, District Tarn Taran).

Learned counsel for the petitioner submits that there was no proper compliance of Section 82 Cr.P.C. To show his bonafide, the petitioner offers to deposit Rs.40,000/- with the trial court subject to outcome of the trial.

Notice of motion for 11.10.2021.

Let the petitioner appear before the trial court within ten days and deposit Rs.40,000/-. In the meantime, arrest of the petitioner is stayed. The trial court shall be at liberty to impose such other conditions as deemed appropriate to ensure the presence of the petitioner in future.”

[4] Learned counsel for the petitioner has sent through electronic medium copy of order dated 28th September, 2021 and receipt acknowledging the deposit of Rs. 40,000/- with the trial Court, same is taken on record. Copy be supplied to learned counsel for the State.

[5] In view of document produced, the petition is disposed of.

[6] The impugned order dated 2nd August, 2018 is set aside. The petitioner is directed to appear before the trial Court as and when called for. The amount deposited shall be kept in an FDR in nationalized bank and would be subject to outcome of the trial.

[7] In case, the petitioner fails to appear before the trial Court as and when called for, the amount deposited shall be forfeited.

[AVNEESH JHINGAN]
JUDGE

11th October, 2021

pankaj baweja

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