

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

(122)

CRM-M-53742-2021

Date of Decision : December 22, 2021

Jagsir Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. H.S. Jalal, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner submits that though in the present petition, the prayer of the petitioner for quashing of FIR No.106 dated 01.11.2011 registered under Sections 382, 308, 323, 148 and 149 of the IPC and Sections 25, 27, 54 and 59 of the Arms Act, 1959 at Police Station Dayalpura, Bathinda, has been made but the petitioner is not pressing the same and the present petition may kindly be considered in respect of the order dated 31.03.2016 (Annexure P-2) by which the petitioner was declared a proclaimed offender.

Ordered accordingly.

Learned counsel for the petitioner argues that the other co-accused, against whom the similar allegations have been alleged, has been found innocent by the competent Court of law and acquitted and during the intergrum, the petitioner has also compromised the dispute with the complainant and therefore, as the petitioner is ready to join the proceedings before the trial Court in respect of the proceedings, which have been initiated in pursuance to the order dated 31.03.2016 (Annexure P-2), the petitioner may kindly be protected as and when he joins the same.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that as the petitioner has been evading law for the last about five years, he should not be granted any discretionary relief.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Though the conduct of the petitioner is deplorable in evading the law despite being declared proclaimed offender but as of now, the petitioner intends to join the proceedings coupled with the fact that co-accused, against whom the similar allegations were alleged, has already been acquitted by the competent Court of law and the petitioner has already compromised the dispute with the complainant as claimed by him, no useful purpose will be achieved in sending the petitioner behind the bars.

The trial Court is directed that in case, the petitioner surrenders within a period of next two weeks, the petitioner be admitted to anticipatory bail so as to join the proceedings.

In view of the above, the present petition is disposed of.

December 22, 2021

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned? : Yes/No

Whether reportable? : Yes/No