

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

CRM-M-4816-2022 (O&M)
Decided on : 21.02.2022

Arundeeep Kumar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Dinesh Nagar, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

CRM-4855-2022

Application is allowed as prayed for and photocopy of Air
Ticket of the petitioner is taken on record subject to all just exceptions.

Main case

The petitioner is seeking quashing of impugned order dated
28.03.2019 (Annexure P-3), vide which the petitioner was declared a
proclaimed person (PO) by the court of learned JMIC, SBS Nagar in case
FIR No. 152, dated 06.10.2016, lodged u/s 406, 498-A of IPC, registered at
P.S. City Nawanshahr, District SBS Nagar.

Learned counsel submits that the FIR in question came into
existence on account of a marital discord between the petitioner and his
wife i.e. respondent No.2. However, subsequently with the intervention of
respectables, the matter stands amicably settled between the parties, as a
result of which, the parties would be filing a petition under Section 482
Cr.PC for quashing of FIR.

Learned counsel submits that in compliance of order dated
08.02.2022, photocopy of the air tickets of the petitioner has been placed on

record qua his intended travel to India. As per the air tickets, the petitioner is due to land in New Delhi on 02.03.2022. Learned counsel further submits that the petitioner is ready to appear and surrender before the trial Court soon after landing in India. A prayer has, therefore, been made that in the aforementioned facts and circumstances, the petitioner be protected till his appearance before the trial Court and with directions to the trial Court that his application under Section 439 Cr.PC, which he would be filing on his surrender, be decided expeditiously.

Notice of motion.

Mr. Luvinder Sofat, AAG, Punjab, who is present in Court, accepts notice on behalf of respondent State.

Heard learned counsel for the petitioner and perused the material on record.

In view of the submissions made and undertaking given by the learned counsel, present petition is disposed of with direction to the petitioner to appear and surrender before the trial Court on or before 07.03.2022. Till then, no coercive steps be taken against the petitioner. It is made clear that in case, the petitioner fails to surrender before the trial Court within the above stipulated time, this order shall be of no avail to him. In case, on appearance and surrender, the petitioner moves an application under Section 439 Cr.PC before the trial Court, the same shall be decided expeditiously by the trial Court in accordance with law.

21.02.2022
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No