

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

122

(Through Video Conferencing)

CRM-M-6202-2022 (O&M)

Date of decision: 02.03.2022

Rantokh Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Akbarjit Singh, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is challenging the order dated 09.11.2015 passed by learned Judicial Magistrate 1st Class, Jalandhar vide which he was declared a proclaimed offender in case FIR No.8 dated 05.02.2015 under Sections 406 and 498-A IPC registered at Police Station Women Cell, Jalandhar.

In compliance of order dated 15.02.2022, 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 07.03.2022.

Learned counsel for the petitioner submits that the petitioner was unaware about the registration of the FIR in question, however, as soon as he learnt about the registration of the FIR in question, which emanates from a matrimonial dispute between him and his complainant wife, with the intervention of the respectables they have amicably settled their disputes.

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.

On asking of the Court, Mr. Luvinder Sofat, AAG, Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. Saminder Singh, Advocate has put in an appearance on behalf of the complainant. He does not dispute the factum of a compromise having been indeed effected between the parties.

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 09.03.2022. 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.

02.03.2022

Vinay

(MANJARI NEHRU KAUL)

JUDGE

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