

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

119

CRM-M-9396-2022

Date of Decision: 07.03.2022

Partap Singh Bhutar

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Gursimran Singh Madaan, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 482 Cr.P.C. challenging the order dated 28.11.2016(P-8) passed by learned Chief Judicial Magistrate, Kapurthala whereby the petitioner has been declared proclaimed offender in case FIR No. 42 dated 23.04.2013, under sections 420 IPC registered at Police Station Sadar Kapurthala, District Kapurthala.

Learned counsel for the petitioner states that the petitioner had gone abroad in the year, 2012 i.e. before the registration the present FIR. No notice or summons were received by the petitioner in connection with the case. The proclamation proceedings were initiated in the absence of the petitioner. As per the report of the ASI on the arrest warrants issued against the petitioner, it was reported that the petitioner was not residing in India and had gone abroad for the last three years. It was never the intention of the petitioner to evade the process of law. He states that the petitioner is ready to surrender before learned trial Court and face trial.

Taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before 29.04.2022. On his doing so, he shall be released on interim bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction.

This shall subject to deposit an amount of Rs.100,000/- (One lac only) by the petitioner with the Director PGIMER, Chandigarh Poor Patient Welfare Fund.

He shall also file an undertaking to continue appearing before the Court as and when required apart from following all the terms and conditions fixed in this respect.

[HARINDER SINGH SIDHU]
JUDGE

March 07, 2022
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no