

250 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-6253-2020
Date of Decision: 5th August, 2022

Mehakdeep Singh @ Mehal

Petitioner

Versus

State of Punjab

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Shivender Pal Singh, Advocate for
Mr. B.S Bhalla, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

This petition was filed for quashing of FIR No. 60 dated 13.07.2011 (Annexure P-1), registered under Sections 379 and 411 of the IPC at Police Station PAU, Ludhiana along with all the subsequent proceedings including the order dated 11.12.2012 (Annexure P-2), vide which the petitioner was declared a proclaimed person.

On 12.2.2020 the following order was passed :-

“Prayer in this petition is for quashing of FIR dated 13.07.2011 (Annexure P-1), registered under Sections 379 and 411 of the IPC at Police Station PAU, Ludhiana along with all the subsequent proceedings including the order dated 11.12.2012 (Annexure P-2), vide which the petitioner was declared a proclaimed person.

Learned counsel submits that after the registration of the FIR, the petitioner was never arrested and before declaring him as a proclaimed person, the procedure prescribed under Section 82 Cr.P.C. was not followed as he was not served at his ordinary place of residence.

Learned counsel further submits that one of the co-accused namely Ravinder Singh @ Chini, who faced full length trial, stands acquitted by the trial Court, vide judgment dated 03.05.2014,

therefore, if the petitioner is put to trial, no fresh evidence will be brought on record and the chances of his conviction are very bleak.

Learned counsel further submits that the petitioner is ready to surrender before the trial Court and apply for regular bail.

Notice of motion for 12.05.2020.

In the meantime, the petitioner is directed to appear before the trial Court within a period of ten days from today and on doing so, the trial Court shall release the petitioner on interim bail, subject to his furnishing bail/surety bonds to its satisfaction and on deposit of costs of Rs. 50,000/- in the Govt. Treasury under a head to be nominated by the trial Court.”

Learned counsel for the petitioner at this stage, restricts his prayer only for setting aside the impugned order.

The petitioner in pursuance to order dated 12.2.2020, appeared before the Court concerned on 20.2.2020 and was released on bail on furnishing bail/surety bonds in sum of Rs. 1 lakh and he deposited cost of Rs. 50,000/- in Government treasury.

In view of the subsequent developments, no further directions are called for, the petition is disposed of

[AVNEESH JHINGAN]
JUDGE

5th August, 2022
anuradha

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