

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

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**CRM-M-11049 of 2022
Date of Decision: March 16, 2022**

Avtar Singh

.....Petitioner(s)

Vs.

State of Punjab and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

ANOOP CHITKARA J. (ORAL)

The petitioner has come up before this Court with multiple prayers one of which is seeking quashing of the FIR No.11 dated 24.01.2009, under Sections 406, 494, 498-A read with Sections 34 and 120-B IPC, registered at Police Station Garhshankar, District Hoshiarpur on merits and second is declaring proclamation proceedings illegal against the petitioner.

Given the nature of the order, this Court proposes to pass, no notice is required to be issued to respondent No.2.

Learned counsel for the petitioner submits that he has been out of India for 13 years and is presently resident of America. He prays that no coercive action should be taken against the petitioner when he visits India to enable him to put in appearance before trial Court.

The prayer is innocuous and reasonable.

Given above, non-bailable warrants issued against the petitioner are hereby quashed and till 31.05.2022, no coercive steps shall be taken against the petitioner. Whenever the petitioner reaches India, he shall without delay appear and file an application for regular bail before the concerned Court. On filing of such application, the concerned Court shall not consider the fact that the petitioner was declared proclaimed offender and non-bailable warrants were issued against him but shall decide the bail application on merits.

With the aforesaid observation, the petition is disposed of.

It is further clarified that till the disposal of the bail application, no coercive steps shall be taken against the petitioner.

**(ANOOP CHITKARA)
JUDGE**

March 16, 2022
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Whether speaking/reasoned: Yes/No
Whether reportable: No