

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-11021-2022 (O&M)
Date of Decision:-15.3.2022

Gurwinder Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sukhjit Singh, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking quashing of FIR No.33 dated 11.2.2022, Police Station Cantonment, District Police Commissionerate, Amritsar under Sections 174-A of Indian Penal Code as well as setting aside of order dated 22.12.2021 (Annexure P-3) passed by learned Judicial Magistrate 1st Class, Amritsar, vide which the petitioner has been declared a proclaimed person.
2. Learned counsel for the petitioner submits that apart from the complaint in respect of which impugned order dated 22.12.2021 (Annexure P-3) came to be passed, the petitioner is arrayed as an accused in another complaint filed by the same very complainant i.e. complaint dated 28.11.2018 (Annexure P-1), which is pending before another Presiding Officer in the same Court at

Amritsar, where he has been regularly appearing. Learned counsel submits that, in these circumstances, it cannot be believed that the petitioner would choose to remain absent in the other complaint, so as to incur the risk of being declared a proclaimed offender.

3. Learned counsel for the petitioner submits that the petitioner is ready and willing to face trial in respect of the complaint, during the course of which the impugned order dated 22.12.2021 (Annexure P-3) came to be passed.
4. I have heard learned counsel for the petitioner and have also perused the impugned order dated 22.12.2021 (Annexure P-3).
5. Upon perusal of the impugned order, this Court does not find any infirmity in the same. However, having regard to the nature of offence in respect of which the complaint is pending, wherein the petitioner came to be declared a proclaimed offender, and while taking a lenient view in the matter, it is ordered that in case the petitioner surrenders before the trial Court within a period of 10 days from today and applies for grant of regular bail in the forenoon of the day, the learned trial Court shall endeavour to dispose of the same expeditiously preferably on the same day, when such application is filed while duly taking into account the fact that the petitioner has been appearing regularly in the other complaint.
6. The instant petition stands disposed off accordingly.

15.3.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No