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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 04.04.2022

1.

CRM-M-13943-2022

BALIHAR SINGH

V/S

... PETITIONER

STATE OF PUNJAB

... RESPONDENT

2.

CRM-M-13949-2022

RAJWINDER SINGH @ RAJU

V/S

... PETITIONER

STATE OF PUNJAB

... RESPONDENT

3.

CRM-M-14075-2022

PARAMJIT KAUR @ PARMJEET

V/S

... PETITIONER

STATE OF PUNJAB

... RESPONDENT

4.

CRM-M-14088-2022

AMANDEEP SINGH

V/S

... PETITIONER

STATE OF PUNJAB

... RESPONDENT

5.

CRM-M-14100-2022

MAKHAN SINGH

V/S

... PETITIONER

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Naresh Kumar Bansal, Advocate for the petitioner(s).

Mr. Hittan Nehra, Addl. A.G. Punjab.

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VIVEK PURI, J. (ORAL)

This order shall dispose of CRM-M-13943-2022, CRM-M-13949-2022, CRM-M-14075-2022, CRM-M-14088-2022 and CRM-M-14100-2022.

Petitioners are seeking to quash FIR No. 157 dated 29.06.2012 under Sections 376 and 420 IPC, registered at Police Station Nakodar, Jalandhar and the order vide which they have been declared proclaimed offender.

Learned learned counsel for the petitioners contend that the petitioners along with 5 other persons were arraigned as accused in the case bearing FIR No. 157 dated 29.06.2012, under Sections 376 and 420 IPC, registered at Police Station Nakodar, Jalandhar. Balihar Singh, Rajvinder Singh @ Raju and Makhan Singh, petitioners were declared proclaimed offender in terms of the order dated 16.07.2016. Amandeep Singh was declared proclaimed offender in terms of the order dated 10.09.2018 and Paramjit Kaur was declared proclaimed offender in terms of the order dated 09.01.2019.

The prosecutrix has not supported the prosecution version during the course of trial. The proceedings against Pavitar Singh, co-accused stood abated. However, Jagtar Singh, Sukhwinder Singh, Mohinder Singh and Harvinder Singh, co-accused were acquitted by the trial Court in terms of the judgment dated 11.10.2021.

Learned counsel for the petitioners contend that he restricts his prayer only to the extent that interim protection may be granted to them so that they can put appearance before the trial Court and face trial. He states that the petitioners are presently residing abroad. The petitioners shall within a period of 3 months travel back to India and surrender themselves before the trial Court.

In these set of circumstances, the petitions are disposed of with a direction that the petitioners shall surrender before the trial Court within a period of three months from today and shall move an application for regular bail. Their arrest shall remain stayed till the disposal of bail applications, in the event the surrender is made within the time frame. It is further directed that in the event, the bail application of any of the petitioners is dismissed by the learned trial Court, the benefit of this order will enure to them for a period of two weeks thereafter.

Disposed of in the aforesaid terms.

04.04.2022

Janki

**(VIVEK PURI)
JUDGE**

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