

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

CRM-M-15187 of 2022

Date of Decision: 08.04.2022

Gagandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. M.K Singla, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J

Prayer is for grant of anticipatory bail as also for quashing of order dated 12.01.2010 passed by learned JMIC declaring the petitioner as proclaimed offender in case FIR No.86 dated 30.11.2006 under Sections 419,420,467,468,471,120-B IPC.

A criminal complaint under Sections 419,420,467,468,471,120-B IPC was instituted against the petitioner on 29.11.2006. Vide order dated 23.03.2009, the petitioner and other co-accused were summoned to face trial. As the petitioner did not appear before the court, proclamation proceedings were initiated against him. Thereafter, vide impugned order, the petitioner has been declared as proclaimed offender.

The case of the petitioner is that before issuance of summons in the said case, the petitioner had already gone to Canada and since then he has been residing there. He returned to India in March 2022 as his father had expired. The petitioner had no knowledge of the institution of the

complaint against him. It is further stated that co-accused, who faced trial has been acquitted of charges vide judgment and order dated 17.05.2010 of the learned JMIC.

Learned counsel for the petitioner submits that it was never the intention of the petitioner to evade the process of court and that he is ready and willing to face trial. He undertakes that the petitioner shall appear before the learned trial Court on any date to be fixed by this Court.

Notice of motion.

Mr. B.S. Sewak, Addl.AG Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

Having heard learned counsel for the parties and 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, she shall be released on interim bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking before the trial Court to continue appearing before it as and when required apart from following all the terms and conditions fixed in this respect.

This shall, however, subject to the petitioner depositing a sum of Rs.30,000/- with the Director, PGI, Chandigarh Poor Patients' Welfare Fund.

April 08, 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No