

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-18578-2022
Date of decision : 01.08.2022

Kuldeep Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms.R.K.Grewal, Advocate
for the petitioner.

Mr.Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 482 Cr.P.C. praying for quashing of impugned order of proclamation dated 25.04.2008 vide which the petitioner has been declared proclaimed offender.

On 05.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the matter has been compromised and has referred to the compromise deed dated 25.03.2022 (Annexure P-5) and further submits that the petitioner is ready to appear before the trial Court within a period of two months from today.

Notice of motion.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of the State/respondent No.1 and seeks time to get instructions. Mr. Rohit Rattewal, Advocate appears on behalf of respondent No.2 and has reiterated the fact that the matter has been compromised with the present petitioner.

Adjourned to 01.08.2022.

Till the next date of hearing, the operation of the order dated 25.04.2008 (Annexure P-4) shall remain stayed.

05.05.2022”

On 02.06.2022, this Court was pleased to pass the following order:-

“This is an application under Section 482 Cr.P.C. praying for grant of extension of time period for further two months to the applicant to surrender before the trial Court as per order dated 05.05.2022 passed by this Court.

In view of the averments made in the application, the application is allowed and the applicant-petitioner is permitted to appear before the trial Court upto 29.07.2022.

Till the next date of hearing, arrest of the applicant-petitioner is stayed.

June 02, 2022.”

Learned counsel for the petitioner has submitted that in pursuance of the said orders, the petitioner has appeared before the Judge, Special Court-IX, Jalandhar and has forwarded a copy of the order dated 19.07.2022 passed by the said Court, the relevant portion of which is reproduced hereinbelow:-

“Present: Sh.Balraj Singh Kahlon, Advocate for applicant/accused.

Application for surrender and bail received by allocation. It be registered. In view of order dated 05.02.2022 passed in CRM-M—18578-2022, bail bonds / surety bonds to the tune of Rs.1,00,000/- with one surety of the like amount furnished, which are accepted and attested. Now, original file be called for 06.08.2022.

*Date of Order: 19.07.2022. (Rana Kanwar Deep Kaur)
Judge Special Court-IX, Jalandhar
UID NO.PB00223”*

A perusal of the said order would show that the petitioner has surrendered and has submitted his bail bonds/surety bonds which have been

Keeping in view the above said facts and circumstances, the present petition is allowed and the impugned order dated 25.04.2008 is set aside and the interim order dated 02.06.2022 is made absolute, subject to the petitioner giving an undertaking to the trial Court within a period of 15 days from today that he would appear before the trial Court on each and every date of hearing unless his presence is specifically exempted.

(VIKAS BAHL)
JUDGE

August 01, 2022
Davinder Kumar

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