

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

126

CRM-M-27514-2022

Date of Decision: 14.07.2022

Sandeep Singh

....Petitioner

Versus

State of Punjab

...Respondent

**CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU\**

Present: Mr. Lakhwinder Singh Lakhpal, Advocate  
for the petitioner.

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**HARINDER SINGH SIDHU, J.**

Present petition has been filed under Section 482 Cr.P.C.  
for quashing the order dated 07.02.2009(P-1) passed by learned  
Judicial Magistrate First Class, Jalandhar whereby the petitioner has  
been declared proclaimed offender.

A case FIR No. 116 dated 23.06.2008, under sections  
382/34 IPC registered at Police Station Division No. 8 Jalandhar,  
District Jalandhar was registered against unknown persons on a  
complaint filed by Aditya Kishore Jha. He alleged that he was  
working as salesman with Rakesh Trading Company. On the day of  
the incident as per routine after making collections from Phagwara  
and Dasuya he came to Pathankot. He took a Rickshaw. When he  
reached near KMV College two persons came from behind on a  
motorcycle. They had muffled their faces. They stopped their

motorcycle in front of the Rickshaw. They snatched the bag of the complainant which contained Rs. 2,20,000/- and some account books, thereafter, they fled away.

It is the case of the petitioner that he left for Australia in the month of November, 2008 and has been in Australia since then. He was not aware that the petitioner had been implicated in this case on the basis of disclosure statement of Manu Kundra. No summons or any other intimation was received by the petitioner. He came to know about the pendency of the proceedings against him and of the fact that he has been declared as proclaimed offender only when he went to the Indian Embassy in Australia for renewal of his passport. He states that he has also learnt that the other accused have faced trial and have been acquitted vide judgment and order dated 21.08.2013 of the learned Judicial Magistrate First Class, Jalandhar. He states that it was never the intention of the petitioner to evade the process of law. He states that the petitioner is ready to surrender before learned trial Court and face trial.

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 23.08.2022. On his doing so, he shall be released on interim bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction.

This shall subject to deposit an amount of Rs.80,000/- (Eighty thousand only) by the petitioner with the Director PGIMER, Chandigarh Poor Patient Welfare Fund.

He shall also file an undertaking to continue appearing before the Court as and when required apart from following all the terms and conditions fixed in this respect.

[HARINDER SINGH SIDHU]  
JUDGE

July 14, 2022  
*rashmi*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/no |
| Whether reportable?       | Yes/no |