

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

265

CRM-M-30920-2021  
Date of Decision: 13.09.2022

Paramjit Singh @ Pamma

....Petitioner

VERSUS

State of Punjab & anr.

....Respondents

**CORAM:- HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. A.P.S. Deol, Sr. Advocate, with  
Mr. H.S. Deol, Advocate,  
for the petitioner.

Mr. H.S. Sitta, DAG, Punjab.

Ms. Shubhra Singh, Advocate,  
for respondent No.2-CBI.

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**ANOOP CHITKARA, J. (Oral)**

1. Aggrieved by the order of proclamation passed vide Annexure P-8 way back on 17.08.1992, the accused has come before this Court.
2. Learned Senior counsel appearing for the accused argued that there were two cross cases; one filed by him against the police alleging encounter of five of his family members, out of whom one body was recovered and four corpses were never recovered till date, no other persons have been found alive and more than 30 years have passed. Learned counsel further submits that he was pursuing the matter with CBI and as such, is not that case that he has fled the country or was not available, but in the said encounter one police official has also expired and the complainants have arraigned the petitioner as an accused. In the present case, he has been

declared as proclaimed offender.

3. Even after 30 years, the police failed to catch the petitioner and it is the accused, who has voluntarily come to this Court offering to join investigation and surrender to the Majesty of this Court in case of dismissal of the anticipatory bail petition. The primary purpose is that the trial should not delay in any further. It is the accused whose efforts would make it happen.

4. Given above, for the aforesaid reasons, the proclamation order dated 17.08.1992 is quashed and set aside provided that the petitioner files an anticipatory bail petition before the Sessions Judge Court, Rupnagar on or before 30.09.2022. Once such bail petition under Section 438 Cr.P.C is filed before the Sessions Court, Rupnagar, the said Court shall decide the same on its own merits without being influenced by any observations or this order. Further the Sessions Court shall not absolve its responsibility for deciding the matter on the ground that TDA(P) Act has lapsed. It is further clarified that in case the petitioner fails to file anticipatory bail petition on or before 30.09.2022, then this order shall stand recalled under Section 362 read with Section 482 Cr.P.C without any further reference to this court.

5. However, there shall be a stay of the arrest of the petitioner in the aforesaid FIR till **30.09.2022**. After that, it is for the concerned Sessions Court to grant anticipatory bail or not and this Court is not passing any observation in this regard. This order is subject to deposit of Rs.10,000/- in the below account:-

Ajit Singh Police Welfare fund, A/c No.12171450000081  
IFSC Code HDFC0001217, HDFC Bank, Sector 15,  
Chandigarh.

applications, if any, stand disposed of.

13.09.2022

monika

Whether speaking/reasoned  
Whether reportable

(Anoop Chitkara)  
Judge

Yes/No  
Yes/No