

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-32572-2022
Date of decision : 16.11.2022

Sanjeev Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms. Rashika Bansal, Advocate for
Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of the order dated 31.03.2022 (Annexure P-5) whereby the petitioner was declared as proclaimed offender in FIR no. 122 dated 02.07.2018 registered under Section 420 IPC at Police Station Dinanagar, District Gurdaspur.

On 24.08.2022, this Court was pleased to pass the following order:-

“List on 19.10.2022.

In the meantime, the petitioner is directed to appear before the trial Court within a period of 15 days from today and on his appearance, the trial Court is directed to release the petitioner on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court. The same would also be subject to the petitioner depositing an amount of Rs.10,000/- within the stipulated time with the trial Court, which would be paid to the complainant namely Ashok Kumar son of Rattan Lal by the trial Court.

24.08.2022”

Learned counsel for the petitioner has submitted that in

pursuance of the said order, the petitioner had appeared on 06.09.2022 and had deposited Rs.10,000/- and had joined the proceedings. Learned counsel for the petitioner has placed on record a copy of the order dated 21.09.2022 and same would show that accused is on bail with counsel. The said order dated 21.09.2022 is taken on record as Mark A.

Keeping in view the above said facts and circumstances moreso, the fact that the petitioner had appeared before the trial Court and has also complied with the order dated 24.08.2022 and is stated to be appearing before the trial Court, the present petition is allowed and the order dated 31.03.2022 (Annexure P-5) is set aside. The same would however, be subject to the petitioner giving an undertaking within a period of two weeks from today that the petitioner would appear on each and every date unless his personal appearance is specifically exempted by the trial Court.

(VIKAS BAHL)
JUDGE

November 16, 2022
Davinder Kumar

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