

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

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**CRM-M-37651-2021
Date of decision: 29.03.2022**

Manjinder Singh @ Mindi @ Bindi	Petitioner
Versus	
State of Punjab and another	Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amit Dhawan, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the impugned order dated 21.12.2010 passed by learned ACJM, Jalandhar, whereby the petitioner has been declared as proclaimed offender in case FIR No.136 dated 14.06.2010, registered under Sections 279, 304-A and 201 of Indian Penal Code (Section 201 IPC was deleted later on) at Police Station Sadar, Jalandhar.

On 13.09.2021, this Court had passed the following order:-

*“The Court has been convened through video
conferencing due to Covid-19 Pandemic.*

By placing reliance on the orders dated 05.08.2013, 05.05.2015 and 31.10.2019 (Annexures P-6 to P-8) passed by this Court, counsel for the petitioner submits that the order declaring petitioner as a proclaimed offender has been passed in violation of the mandatory provisions under Section 82 of the Code of Criminal Procedure, 1973. He submits that the petitioner, who is presently in Germany, will surrender before the trial Court within a period of one month, join the proceedings and deposit the costs of Rs.25,000/-.

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, AAG, Punjab accepts notice on behalf of State-respondent No.1.

Respondent No.2 be served for the date fixed.

Let petitioner surrender before the Trial Court within a period of one month and file a petition seeking grant of bail. In case he does so, the Trial Court shall release him on interim bail, subject to deposit of costs of Rs.25,000/- with the PGIMER, Poor Patient Welfare Fund, Sector 12, Chandigarh on his furnishing the receipt of the deposit.

List on 10.01.2022.”

Learned counsel for the petitioner has already appeared before the trial Court and deposited the costs of Rs.25,000/- in compliance of order dated 01.12.2021 and the petitioner has been released on bail by the trial Court.

The aforesaid fact is not disputed by learned State counsel.

In view of the afore-stated position, the present petition is allowed. The impugned order dated 21.12.2010 is set aside and order dated 13.09.2021 is made absolute.

(ARVIND SINGH SANGWAN)
JUDGE

29.03.2022
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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No