

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(124)

CRM-M-38301-2022
Date of Decision: 26.08.2022

Gurdev Kaur & others

--Petitioners

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. S.K. Bokolia, Advocate for the petitioners.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 482 Cr.P.C praying for quashing of order dated 29.8.2019 passed by the learned JMIC, Jagraon vide which the petitioners have been wrongly declared as proclaimed persons in a criminal complaint no. COMI/103 of 2015 dated 10.12.2015 under sections 498-A, 406, 506, 294, 511 IPC and the subsequent proceedings arising therefrom.

Learned counsel for the petitioners, at the very outset, submits that petitioners are returning to India by 20.12.2022. He submits that petitioners are keen to surrender before the court of competent jurisdiction by way of filing an appropriate application. He submits that petitioners are living in U.S.A and they may be granted some protection from arrest for the purpose of surrendering before the court concerned. With this prayer counsel prays for withdrawal of the present petition with liberty to avail the alternate remedies as may be available to the petitioners in accordance with law.

Finding the submissions made by counsel genuine, petitioners are allowed to withdraw the present petition with the liberty, as prayed for.

In case the petitioners return to India by 20.12.2022 as undertaken by the counsel and surrender before the court of competent jurisdiction with an appropriate petition for the redressal of their grievances within 10 days from their arrival in India, they would have a protection from arrest for a period of 10 days from the date of arrival to India i.e. 20.12.2022. However, if the petitioners fail to arrive India by 20.12.2022 and surrender before the court concerned within the aforesaid period of 10 days, this order would be of no avail to them.

(RAJESH BHARDWAJ)
JUDGE

26.08.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No