

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

240

CRM-M-31971-2019 (O&M)

Date of decision: 22.11.2022

Harsh Dev Verma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

Mr. L. M. Gulati, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

On 19.10.2019, the following order was passed:

“Prayer in this petition is for setting-aside the order dated 16.11.2018 (Annexure P5) passed by the trial Court vide which the petitioner was declared as proclaimed offender in FIR No.115 dated 26.10.2017 registered under Sections 406, 420, 120-B IPC at Police Station Makboolpura, Amritsar, District Amritsar and all subsequent proceedings arising therefrom.

Counsel for the petitioner has submitted that the petitioner is the ordinary resident of District Amritsar whereas the proclamation was made at District Ludhiana.

Counsel for the State as well as counsel for the complainant have, however, opposed the prayer for bail on the ground that the petitioner has prepared a rent deed on the date when the FIR was registered.

Adjourned to 20.01.2020.

In the meantime, the petitioner is directed to

appear before the trial Court within a period of 10 days and the trial Court will release the petitioner on interim bail subject to his furnishing bail/surety bonds and on payment of costs of Rs.5000/-, for delaying the proceedings, to be deposited with the District Legal Services Authority, Amritsar.

The payment of costs shall be a pre-condition before accepting the bail/surety bonds of the petitioner.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 19.10.2019, has already appeared before the trial Court and he has been released on interim bail. It is further submitted that the petitioner has also deposited the cost of Rs. 5,000/- as directed by this Court.

Learned counsel for the State, assisted by learned counsel for the complainant and on instructions from the Investigating Officer, has not disputed the factual position.

In view of the above, the present petition is allowed. The order dated 19.10.2019 is made absolute and the order dated 16.11.2018 (Annexure P-5), vide which the petitioner has been declared a proclaimed offender, is hereby set aside.

22.11.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No