

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

**CRM-M-36973-2019
Date of decision: 15.11.2022**

Harvinder Singh @ Harry

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Challenge in the present petition is to the order dated 22.03.2016 (Annexure P-2) passed by learned Judicial Magistrate Ist Class, Ludhiana, whereby the petitioner was declared a proclaimed person in case bearing FIR No.257 dated 24.10.2012, registered at Police Station Basti Jodhewal, District Ludhiana, under Sections 452, 323, 341, 506, 427, 148 and 149 IPC.

A Coordinate Bench, on 13.12.2019, passed the following order:

“Pursuant to the order dated 10.12.2019, the case file of CRM-M-46866 of 2019 has been put up along with this petition, from which it is seen that notice of motion was issued in that petition, with a direction to the petitioner as also the complainant in the FIR, Bikramjeet Singh, to get recorded their statements in terms of the compromise reached between the parties, before the learned trial Court, upto 13.12.2019, i.e. today, with the

hearing of the said petition adjourned to 04.02.2020 to await the report of the trial Court.

That being so, with the other persons accused alongwith the petitioner stated to have been acquitted by the trial Court, on the same charges having been framed against them, vide a judgment dated July 30, 2016 (a copy thereof having been produced in Court today), let notice of motion be issued, returnable on 04.02.2020.

In the meanwhile, in the aforesaid circumstances, the impugned order declaring the petitioner to be a proclaimed offender shall remain stayed subject to the petitioner surrendering before the trial Court. Upon him surrendering before that Court, in the context of the FIR in question, he would be admitted to interim bail to the satisfaction of that Court, till the next date of hearing before this Court.

Adjourned to 04.02.2020.

To be heard along CRM-M-46866 of 2019.”

Learned State counsel submits that in pursuance of the aofresaid order dated 13.12.2019, the petitioner has already surrendered before the trial Court and has been released on interim bail. However, so far as connected case i.e. CRM-M-46866 of 2019 is concerned, the same has been dismissed as withdrawn with liberty to file a fresh one with better particulars.

Keeping in view the fact that the petitioner has already surrendered before the trial Court and has been released on bail, the order dated 13.12.2019 passed by the Coordinate Bench, is made absolute.

Disposed of.

15.11.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No