

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-50581 of 2022

Date of Decision:15.11.2022

Sukhdev Singh

-----Petitioner

vs.

State of Haryana and another

-----Respondents

Coram: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

**Present: Mr.Rajender Kumar, Advocate,
for the petitioner**

Ms. Dimple Jain, AAG, Haryana

JAGMOHAN BANSAL (ORAL)

Through instant petition under Section 482 of Code of Criminal Procedure, 1973, the petitioner is seeking quashing of impugned order dated 22.9.2009 (Annexure P-2) passed in 'SC- 63-2022 titled as State vs. Avtar Singh etc. dated 30.3.2022/3.11.2007 whereby the petitioner was declared as proclaimed offender in FIR No. 96 dated 9.10.2006 under Sections 148, 149, 323, 324, 325, 341, 307, 379, 427 and 506 IPC and Section 27 of Arms Act, registered at Police Station, Jhansa District Kurukshetra as well as subsequent proceedings.

Learned counsel for the petitioner submits that like petitioner another accused who was declared proclaimed offender in the same FIR vide order dated 4.2.2022 passed by this Court in CRM-M-3907 of 2022 has been permitted to appear before trial court. The Court has further directed trial court to admit the petitioner therein to bail subject to furnishing personal/surety bonds. On the ground of parity, the petitioner submits that he may also be granted an opportunity to appear before trial court and face

trial.

Notice of Motion.

On the asking of the Court Ms. Dimple Jain, AAG, Haryana, who is present in Court, accepts notice on behalf of respondent-State and fairly does not dispute the facts, however, prays for imposition of costs.

Mr. Ajay Kripal Singh, Advocate, puts in appearance on behalf of respondent No. 2.

The petition of co-accused in the instant FIR stands allowed. The petitioner is ready to face trial and on the ground of parity, the petitioner deserves same relief as has been granted to co-accused.

There is certainly lapse on the part of petitioner and reasons advanced are not much convincing, however, keeping in view facts and circumstances, I deem it appropriate to allow the present petition in the same terms as of co-accused in CRM-M- 3907 of 2022 vide order dated 4.2.2022 passed by this Court. The petitioner shall appear before learned trial Court on 21.11.2022 and on his doing so, he would be admitted to bail subject to satisfaction of the trial court. The petitioner shall further deposit costs of Rs.35,000/- to be paid to the District Legal Services Authority, Kurukshetra.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

November 15, 2022
paramjit

Whether speaking or reasoned: Yes
Whether reportable :Yes/No