

CRM-M-2448-2022

Date of Decision: 14.11.2022

Gurmit Singh

..... Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. C.L. Verma, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

The present petitioner has approached this Court impugning the order dated 17.09.2022 passed by the learned JMIC, Dasuya, Hoshiarpur, whereby, the petitioner has been declared proclaimed offender.

Learned counsel for the petitioner submits that the dispute is within the family members of the parties. He has submitted that the alleged occurrence has taken place on 16.11.2019 and thereafter, the petitioner lodged FIR No.182 dated 01.12.2019, under Sections 323, 341, 506, 34 IPC at Police Station Dasuya, District Hoshiarpur against the prosecutrix and her husband etc. He submits that as a act of vendetta, cross case was registered as GD No.44 dated 09.12.2019, under Section 354-A IPC, at Police Station Dasuya, District Hoshiarpur by the prosecutrix. He has submitted that the petitioner has been falsely implicated in this case and has been illegally declared proclaimed offender by the learned JMIC. After arguing for some time, learned counsel for the petitioner fairly submits that as the impugned order is revisable, he may be allowed to withdraw the present petition with liberty to approach the revisional Court to avail his remedy as available under the law. However, he submits that the petitioner be granted some protection for approaching the Court concerned.

After hearing learned counsel for the petitioner, he is allowed to withdraw the present petition.

Dismissed as withdrawn with liberty to approach the revisional Court to avail alternative remedy as available in accordance with law. Keeping in view the facts and circumstances of the case, it is directed that in case the petitioner appears before the Court of competent jurisdiction within 7 days from the date of receipt of certified copy of this order and files an appropriate application for redressal of his grievance, his arrest would remain stayed for 3 days from the date of filing of application. The Court concerned would decide the same in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

14.11.2022
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No