

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-56937-2022 (O&M)
Date of decision: 07.12.2022

Dalip Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Liaqat Ali, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for setting aside the order dated 01.10.2022 passed by the trial Court, vide which the petitioner has been declared a proclaimed offender in FIR No.225 dated 23.12.2017 under Sections 404, 406, 411 IPC, Police Station Bhargo Camp, District Jalandhar.

Learned counsel for the petitioner submits that the petitioner was granted regular bail on 15.03.2018 and thereafter, he was declared proclaimed offender and was arrested and again released on interim bail on 29.03.2020. It is further submitted that due to COVID-19 situation, the Courts were not working and thereafter, again the petitioner could not appear before the trial Court and he was again declared proclaimed offender on 01.10.2022. It is also submitted that the petitioner do not want to delay

disposal of the case, however, he is ready to appear before the trial Court and face the trial.

Notice of motion.

On asking of the Court, Mr. Navneet Singh, DAG, Punjab accepts notice on behalf of the respondent-State and has, however, opposed the prayer on the ground that the petitioner, on two occasions, absented from the Court proceedings and was declared proclaimed offender on two occasions, as he is intentionally delaying the trial.

After hearing learned counsel for the parties and considering the fact that the petitioner has volunteered to appear before the trial Court, this petition is allowed and the impugned order dated 01.10.2022, declaring the petitioner as proclaimed offender, is set aside. The petitioner is directed to appear before the trial Court within a period of 15 days from today and he will be released on bail subject to his furnishing fresh bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the condition that the petitioner will deposit the costs of Rs.20,000/- with the District Legal Services Authority, Jalandhar.

[ARVIND SINGH SANGWAN]
JUDGE

07.12.2022
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No