

...Petitioner

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

DEEPAK MANCHANDA J.

At this stage, Ms. Ishneet Kaur, AAG Punjab, who is present in the Court accepts notice on the asking of the Court and submits that the order of proclamation proceedings has been issued against the petitioner on the sole ground of his absence on 06.10.2022.

The objective of Section 82 of the Code is to secure the presence of the accused. Once the accused is willing to appear before the trial Court, the objective has been achieved.

Consequently, the instant petition stands allowed and impugned order dated 06.10.2022 (Annexure P-7) is set aside. However, arrest of the petitioner is stayed only for a period of 2 weeks enabling him to put in appearance before the trial Court and he is directed to surrender before the trial Court on or before 29.12.2022, and on his doing so, he shall be admitted to bail subject to his furnishing personal bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is made clear that if the petitioner fails to appear before the trial Court within the stipulated time, interim protection granted to him will deemed to have been automatically vacated.

(DEEPAK MANCHANDA)
JUDGE

15.12.2022

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes
Yes/No