

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-50928-2019

Date of decision : 18.4.2022

Vijay Kumar and another

..... Petitioner (s)

Versus

State of Punjab and another

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Jasneet Mehta, Advocate for
Mr. L.M. Gulati, Advocate
for petitioners.

Mr. R.S. Khaira, AAG Punjab.

Mr. G.S. Dhillon, Advocate
for respondent No. 2.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 482 Cr.P.C. for quashing order dated 25.3.2019 passed by learned JMJC-2, Jalandhar whereby petitioners have been declared proclaimed persons in case FIR No. 59 dated 13.4.2016 registered under Sections 406, 420, 120 B IPC at Police Station Division No. 5, Jalandhar, District Jalandhar.

It is stated that after completion of investigation, challan was filed in said case. Thereafter, petitioners were regularly appearing before trial Court till 13.6.2018. On 4.7.2018, an application for exemption from personal appearance of petitioners was moved. The same was allowed and case was adjourned to 17.7.2018. Meanwhile, with the intervention of respectables, a compromise was arrived at between the parties on 4.9.2018. In view of compromise, petitioner remained under impression that they were not required to appear before the Court. Because of their non appearance, petitioners were declared proclaimed persons vide impugned order.

It is stated that non appearance of petitioners before trial Court was not intentional. Petitioners are ready and willing to appear before trial Court and face trial.

The petitioners may appear before trial Court on or before 10.5.2022. On their doing so, they shall be released on interim bail by trial Court to its satisfaction. This shall however be subject to deposit of an amount of Rs. 20,000/- (Rupees twenty thousand only) with Punjab and Haryana High Court Bar Association. They shall also furnish undertaking that they would appear before the Court as and when directed.

(HARINDER SINGH SIDHU)
JUDGE

18.4.2022
sjks

Whether reasoned order : Yes / No
Whether reportable : Yes / No