

CRM-M-4966-2022 (O&M)

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-4966-2022 (O&M)
Date of Decision: 11.08.2023**

Lakhwinder Singh Gill

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. GPS Ghuman, Advocate,
for the petitioner.

Mr. H.S. Sitta, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of the order dated 29.01.2020 passed by learned Court of SDJM, Baghapurana, District Moga, Punjab (Annexure P-5) in which the petitioner was declared P.O. in FIR No.28, dated 04.03.2014, under Sections 420, 406 & 120-B of the IPC, registered at Police Station Baghapurana, District Moga.

2. Learned counsel for the petitioner has submitted that the petitioner is residing in Canada from 28.09.2019 and the impugned order was passed on 29.01.2020 and it was not within his knowledge with regard to the proceedings against him. He further submitted that be that as it may, the petitioner is ready and willing to surrender before the learned trial Court and to face the trial and therefore, he may be protected in the meanwhile.

3. Mr. H. S. Sitta, learned DAG, Punjab has stated that in case the

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petitioner is ready to surrender before the trial Court then he has no objection in case the P.O. proceedings are set aside.

4. In view of the aforesaid position and the undertaking given by the learned counsel for the petitioner on behalf of the petitioner that the petitioner will come back to India and will surrender before the trial Court within a period of one month, it is directed that the petitioner shall surrender before the trial Court within a period of one month from today. Till the time the petitioner surrenders, the operation of the impugned order (Annexure P-5) by which he was declared P.O. shall remain stayed.

5. Thereafter, in case the petitioner files any application for grant of bail then the same shall be considered and decided by the learned trial Court as expeditiously as possible and preferably within a period of four working days thereafter.

6. The present petition stands disposed of.

11.08.2023
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |