

**114 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-8900-2023

Date of Decision: 20.02.2023

Jagjit Singh Braich @ Jagjit Singh
Versus

..... Petitioner

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Chandeeep Singh, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (Oral)

The petitioner has approached this Court for setting aside the order dated 29.10.2021 passed by the learned Sub Divisional Judicial Magistrate, Samrala in a case titled as State of Punjab vs. Jagjit Singh, bearing case No.CHI/260/2021, arising out of FIR No.17, dated 21.01.2021, registered under Sections 420, 406 IPC, at Police Station Samrala, District Khanna, vide which the petitioner has been declared as proclaimed person.

Learned counsel for the petitioner at the outset has submitted that though the petitioner is presently residing in Canada, however, he is ready to come back to India and to join the proceedings. He submits that the petitioner would return to India positively after 15.03.2023.

Notice of motion.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab, accepts notice.

Heard.

Keeping in view the facts and circumstances of the case and the fact that the petitioner is ready to join the proceedings by coming India after 15.03.2023 as has been undertaken by his counsel, the order dated 29.10.2021 is set aside and the present petition is disposed of with a

direction that in case the petitioner arrives in India within a month after 15.03.2023 i.e. till 15.04.2023 and appears before the court concerned within a period of 10 days of his arrival, then he would have protection from arrest for a period of 10 days from the date of his arrival subject to payment of costs of Rs.25,000/- to be paid with the Poor Patients' Welfare Fund, PGIMER, Chandigarh within a period of 7 days from the date of his landing in India.

In case, the petitioner appears before the Court concerned within 10 days of his arrival as stated above and files an appropriate application alongwith the receipt of payment of costs, then the Court concerned would decide the same expeditiously within a period of 3 days from the date of its filing.

Needless to say that in case the petitioner fails to comply with the abovesaid direction, he will have no benefit of abovesaid protection granted by this Court.

20.02.2023

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Whether Speaking/Reasoned

Whether Reportable

:

:

(RAJESH BHARDWAJ)

JUDGE

Yes/No

Yes/No