

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

**CRM-M No.10966 of 2020 (O&M)
Date of decision: 22.09.2023**

Kishan Kumar

... Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sarbjit Singh Hira, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab for respondent No.1.

None for respondent No.2.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.166 dated 19.06.2009, under Sections 436, 336, 148 & 149 of the Indian Penal Code, 1860, registered at Police Station Sadar Mehtiana, District Hoshiarpur and subsequent proceedings arising therefrom as well as order dated 10.06.2013 (P-5), declaring the petitioner as proclaimed offender.

(2) The Coordinate Bench, while issuing notice of motion on 16.03.2020, passed the following order:-

“Notice of motion for 30.06.2020.

In the meantime, operation of any coercive process issued against the petitioner shall remain stayed.”

(3) Thereafter, the aforesaid order was modified by this Court, on 31.07.2023, and granted interim bail to the petitioner, which reads as under:-

“After arguing for some time, when this Court was not inclined to accept the prayer for quashing of FIR No.166 dated 19.06.2009, under Sections 436, 336, 148, 149, IPC, registered at Police Station Sadar (Mehtiana), District Hoshiarpur, learned Counsel for the petitioner on instructions wishes to withdraw the present petition to that extent.

Ordered accordingly.

However, learned Counsel further submits that petitioner is ready to join the proceedings before the Court below, but he be protected.

Posted for 17.08.2023.

Petitioner shall surrender before learned trial Court and upon doing so, he be released on interim bail, in the present case, till the next date of hearing on furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

The order dated 16.03.2020 is modified accordingly.

Be shown in the urgent list.”

(4) At the time of hearing, learned Counsel for the petitioner on instructions submits that in view of the aforesaid order dated 31.07.2023, petitioner has joined the proceedings; hence, the present petition be disposed off at this stage with the direction to the Court concerned to conclude the proceedings expeditiously.

- (5) Although, this Court was not inclined to issue any mandate to learned trial Court; but in view of the controversy involved, request is made to the Court concerned to make an endeavour to decide the matter expeditiously, preferably by 31.12.2023 in accordance with law, if there is no legal impediment.
- (6) Disposed off accordingly.
- (7) Pending application(s), if any, shall also stand disposed off.

September 22nd, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>