

(110+254)

2023:PHHC:084456

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

CRM-M-35716 of 2017 (O&M)

Date of Decision: July 05, 2023

Zorawar Singh and another ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Sushma Chopra, Advocate and
Mr. Ramesh Chand Sharma, Advocate
for the petitioners.

Mr. P.S. Pandher, AAG, Punjab.

Mr. Manjeet Singh Gahlawat, Advocate and
Mr. Chandan Chopra, Advocate for Mr. Jasdev
Singh Thind, Advocate for respondent No.2.

DEEPAK GUPTA, J.(Oral)

CRM No.25989 of 2023

This is an application under Section 482 Cr.P.C seeking permission to place on record passports of petitioners No.1 and 2 as Annexures P.8 and P.9.

Application is allowed. Copies of the passports i.e. Annexures P.8 and P.9 are taken on record.

CRM-M-35716 of 2017

By way of this petition, prayer is made by the petitioners to quash the supplementary challan qua them filed in case FIR No.8 dated 17.01.2011 registered under Sections 452, 323, 427, 148, 149 IPC at Police Station Phillaur, District Jalandhar besides the order dated 18.02.2014 (Annexure P.6) whereby petitioners were declared proclaimed offenders.

It is contended by learned counsel for the petitioners that during investigation, the two petitioners were declared innocent. Later on, at the instance of the complainant of the case, supplementary challan was filed against both of them. They were declared proclaimed offenders vide order dated 18.02.2014.

Learned counsel for the petitioners further contends that the other accused, namely, Jagjeewan Singh alias Jiwan Singh, who faced trial, compromised the matter with the complainant. CRM-M-34872 of 2013 was disposed of by this Court on 05.05.2016 whereby FIR in question was quashed qua said accused Jagjeevan Singh alias Jiwan Singh.

Attention is also drawn towards police report as per which the other accused, namely, Dalvir Singh has already died. Further contention of the learned counsel is that at the time when the petitioners were declared proclaimed offenders, they were not available at the given address as they were in Canada. Learned counsel has also drawn attention towards copies of passports Annexures P.8 and P.9 in this regard.

Learned counsel for the petitioners further submits that both the petitioners are ready to surrender before the trial Court and face trial and they be provided necessary protection having been declared proclaimed offenders.

Afore-said facts are not rebutted by learned State Counsel.

This petition is hereby disposed of with direction to both the petitioners to surrender before the trial Court concerned on or before 15.08.2023. On their such appearance, trial Court shall admit them to

bail to its own satisfaction and proceed further with the trial. However, efforts shall be made by the trial Court concerned to expedite the trial.

If, in the meantime, petitioners are sought to be arrested pursuant to the proclamation issued against them they shall be admitted to bail to the satisfaction of the Arresting Officer.

July 05, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking:

Whether reportable:

Yes/No

Yes/No