

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

122

CRM-M No. 24174-2023  
Date of decision: 12.05.2023

Sukhjot Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Mitul Singh Rana, Advocate for the petitioner(s).

Mr. Harsimar Singh Sitta, DAG, Punjab.

Ms. Nisha Rana, Advocate for respondent No.2.

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ANOOP CHITKARA J.

| FIR No | Dated      | Police Station                        | Under Sections                                                |
|--------|------------|---------------------------------------|---------------------------------------------------------------|
| 57     | 04.10.2014 | Gardhiwala,<br>District<br>Hoshiarpur | 326, 324, 323, 148,<br>149 IPC and 25-27 of<br>Arms Act, 1959 |

1. Challenging the order of proclamation, issued vide order dated 29.04.2016, passed by JMIC Dasuya, due to the default in appearance before the trial court, the petitioner has come up before this court.
2. The nature of order this court proposes to pass, no response is required from the respondent-State.
3. Counsel for the petitioner contends that the non-appearance was unintentional, without any endeavor to delay the trial, and due to factors beyond the petitioner' control. He further submits that compromise has been effected between the parties and pray for quashing of the PO proceedings.
4. Counsel for respondent No.2 submits that compromise has been effected between the parties and petition for quashing of FIR has already been filed before this Court.
5. The primary object of service is to secure the accused's presence in trial. The petitioner has approached this court on its own, establishing the bonafide at this stage. Without commenting on the case's merits, and in the facts and circumstances peculiar to this case, and also for the reasons mentioned above, the ends of justice would meet. This court deems it appropriate to grant the following limited relief to the petitioner, subject to compliance with the conditions mentioned in this order.

6. Since the compromise has been effected between the parties as such, the petitioner is directed to surrender before the concerned court on or before 06.07.2023 The concerned court shall release the petitioner on bail on the same day, subject to furnishing bail bonds to its satisfaction and imposing reasonable conditions as it may deem appropriate in the background of the accused's conduct.

7. The petitioner to execute a bond for attendance in the concerned court. On the reverse page of personal bonds, the petitioner shall mention the permanent address, along with the phone number preferably that number which is linked with the AADHAR card, the other phone numbers (if any), and e-mail (if any). In case of any change in the above particulars, the petitioner shall immediately and not later than 30 days from such modification, intimate about the change to the concerned Police Station and the concerned Court.

8. The order vide which the petitioner was declared a proclaimed offender, all warrants, and all consequent proceedings in the above mentioned FIR shall remain stayed qua the petitioner, till 06.07.2023. **It is clarified that if the petitioner fails to appear before the concerned court, then this order shall stand recalled automatically under section 362, read with 482 CrPC, without any further reference to this court.**

9. This order is subject to the condition that the petitioner shall deposit a sum of Rs. 10,000/- by the above-mentioned date, in the following account and hand over its receipt to the trial court.

**“AJIT SINGH POLICE WELFARE FUND”**  
ACCOUNT NO. 12171450000081,  
HDFC BANK, SCO 3, SECTOR 15-C, CHANDIGARH- 160015,  
RTGS/NEFT IFSC: HDFC0001217,

10. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

11. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. In case the attesting officer wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

**Petition partly allowed to the extent mentioned above.** All pending applications, if any, stand disposed.

(ANOOP CHITKARA)  
JUDGE

12.05.2023  
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Whether speaking/reasoned: Yes  
Whether reportable: No.