

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

CRM-M No.33190 of 2022

Date of decision: 7th February, 2023

Kuldeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Akshay Chadha, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner in the instant petition filed under Section 482 Cr.P.C. is praying for quashing of the order dated 16.07.2015 (Annexure P-5) passed by learned Judicial Magistrate 1st Class, Ludhiana vide which he has been declared a proclaimed person in FIR No.169 dated 01.11.2013 under Sections 323, 324, 506, 148, 149 IPC registered at Police Station Dehlon, Ludhiana City.

Learned counsel for the petitioner submits that the petitioner had been regularly appearing before the trial Court and it was only on 19.08.2015 due to miscommunication with his counsel he was unable to appear before the Court, as a result of which non-bailable warrants were issued against him and thereafter vide order dated 16.07.2017 the petitioner was declared a proclaimed person. He submits that it was for genuine reasons that the petitioner was unable to put in an appearance before the Court. Learned counsel further submits

that the petitioner is still ready to appear and join proceedings before the trial Court.

In view of the submissions made by learned counsel representing the petitioner, the petition is disposed of with direction to the petitioner to appear and surrender before the trial Court on or before 13.02.2023 and move appropriate application for grant of bail. Till then, no coercive steps shall be taken against the petitioner. The trial Court, on such application being moved, shall decide it expeditiously, preferably within two days, in accordance with law. However, it is made clear that in case the petitioner fails to surrender before the Court below within the above stipulated time period, this order shall be of no avail to him.

(MANJARI NEHRU KAUL)
JUDGE

February 7, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No