

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

CRM-M-32026-2019

Date of decision : 05.01.2023

KULWINDER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ravi Malhotra, Advocate
for the petitioner(s).

Ms. Ramta Chaudhary, DAG, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of order dated 01.10.2014 (Annexure P-4) vide which the petitioner has been declared a proclaimed offender in case bearing FIR No.364 dated 19.12.2012 registered under Section 36 of PUDA Act, 1995 at Police Station Sadar Jalandhar.

On 11.10.2022, the following order was passed:-

“The present petition under Section 482 Cr. P.C. is for quashing of order dated 01.10.2014 vide which the petitioner has been declared a Proclaimed Offender in case bearing FIR No.364 dated 19.12.2012 registered under Section 36 of PUDA Act 1995 at Police Station Sadar Jalandhar.

Learned counsel for the petitioner submits that the petitioner is ready and willing to come back and join proceedings in the present case. In fact the petitioner is abroad since 2009 itself and this FIR came to be registered on 19.12.2012 and the fact that the petitioner was a resident of the U.S.A. was mentioned in the order Annexure P-2 as well.

In view of the above, the operation of the order dated 01.10.2014 (P-4) is stayed. The petitioner is directed to surrender before the Trial Court within a period of 14 days from today after depositing a sum of Rs.1 lakh with the 'Spinal Rehabilitation Centre, Chandigarh, Plot#1, Madhya Marg, Sector 28-A, Chandigarh' and also surrender his passport before the said Court. On his doing so, he shall be released on interim bail, subject to its satisfaction.

Adjourned to 05.01.2023.”

Pursuant thereto, a clarification was sought vide order dated 02.11.2022 and the same is reproduced hereinbelow:-

“This is an application seeking correction in the name of the Centre/Organization in which the petitioner has been directed to deposit Rs.1 lac vide order dated 11.10.2022.

For the reasons stated in the application, the same is allowed. The name of the Centre/Organization be read as “Chandigarh Spinal Rehab” instead of “Spinal Rehabilitation Centre” in the order dated 11.10.2022 passed by this Court.”

As per the order dated 20.10.2022 passed by the Additional Chief Judicial Magistrate, the petitioner has surrendered and has since been admitted to interim bail. The copy of the said order is marked as 'X'. He has also deposited his passport and a sum of Rs.1 lakh with the Spinal Rehabilitation Centre, Chandigarh.

In view of the above, no further orders are required to be passed by this Court.

It is expected that the petitioner shall not absent himself
from Trial without sufficient cause.

Disposed of.

(JASJIT SINGH BEDI)
JUDGE

05.01.2023
JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No