

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

[124-2]

CRM-M-38920-2022

Date of Decision: 10.02.2023.

Balwinder Singh Granthi @ Surjit Singh @ Soni Baba Petitioner

Versus

State of Punjab and others Respondents.

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Amit Arora, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab.

Mr. Jasjeet Singh, Advocate for respondents No. 2 & 4.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition under Section 482 Cr.P.C. is seeking quashing of order dated 15.02.2021 (Annexure P-2) whereby Ld. Judicial Magistrate Ist Class, Tarn Taran has declared the petitioner as a proclaimed offender in FIR No.246 dated 08.09.2020 registered at Police Station Sirhali, District Tarn Taran (Annexure P-1) under Sections 342, 354 IPC and Section 8 of Protection of Children From Sexual Offences Act, 2012.

Mr. Jasjeet Singh, Advocate has filed Power of Attorney on behalf of respondents No. 2 & 4 in Court today. The same is taken on record.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been declared proclaimed offender without following the provision of Section 82 of Code of Criminal Procedure, 1973. He further submits that the matter has been compromised between the parties and it was a case of mis-understanding. The petitioner is a 46 years old man and he has been wrongly implicated in the commission of alleged offence. He is ready to surrender before the learned trial Court, however, trial Court may be directed to decide his bail application on the same day.

Without commenting upon the merits of the case, the present petition is disposed of, with liberty to the petitioner to surrender before the trial Court and if he surrenders within 10 days from today, trial Court shall decide his regular bail application on the same day after considering allegations and fresh stand of the complainant.

The instant petition is disposed of accordingly.

(JAGMOHAN BANSAL)
JUDGE

10.02.2023
ANJAL

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