

126 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:106494
CRM-M-39104-2023
Date of Decision: August 17, 2023

Simarjit Singh @ Simar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Harmanpreet Singh, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Learned State counsel informs that in fact wrong statement had been made yesterday i.e. on 16.08.2023 to the effect that the petitioner has already been arrested, but in fact, it has been confirmed that the petitioner has not been arrested so far.

It was on instructions of ASI Sukhwant Singh that it was informed that the petitioner has been arrested. Respondent-State is directed to take strict action against ASI Sukhwant Singh for misleading the Court and giving a wrong statement that the petitioner has already been arrested. This Court shall be informed about the action taken against said ASI Sukhwant Singh.

Petitioner is praying for quashing of order dated 19.05.2023 (Annexure P-2), whereby petitioner was declared proclaimed person in case FIR No.9, dated 11.01.2020, under Sections 457 and 380 of IPC, registered at Police Station Kamboj, District Amritsar Rural.

It is contended by learned counsel for the petitioner that petitioner was earlier allowed anticipatory bail, vide order dated 07.02.2020 by learned Addl. Sessions Judge, Amritsar. Perusal of the

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various zimni order placed on record by learned counsel reveal that petitioner had even appeared on 15.09.2021, on which date the charges were framed. Thereafter due to absence of the petitioner, his bail was cancelled, bonds were forfeited to the Sate andailable warrants were issued against him. As petitioner failed to appear despite warrants of arrest and then proclamation, he was declared proclaimed person.

In view of the aforesaid circumstances when the petitioner has misused the concession of bail granted to him, he does not deserve to be granted any relief.

Dismissed.

August 17, 2023

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(DEEPAK GUPTA)
JUDGE

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