

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-43185-2022(O&M)

Date of Decision:-12.01.2023

Gurpal Singh & Anr.

.....Petitioners.

Vs.

State of Punjab & Anr.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Arshdeep Singh Brar, Advocate for the
applicants/Petitioners.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the petition under Section 482 Cr.PC is for quashing of order dated 01.08.2017 passed by ACJM, Moga (Annexure P-5) whereby the petitioners had been declared as proclaimed offender.

On 17.11.2022 the following order was passed:-

“ The prayer in the present petition under Section 482 Cr.PC is for quashing of the impugned order dated 01.08.2017 passed by the Additional Chief Judicial Magistrate, Moga (Annexure P-5) whereby the petitioners have been declared proclaimed offenders in a Criminal Complaint case bearing RBT No.15 dated 23.07.2015 under Sections 420, 406, 120-B, 506, 34 IPC (Annexure P-2).

The learned counsel for the petitioners contends that the petitioners are coming back to India on 24.11.2022 and the matter has been compromised between the parties.

Adjourned to 20.12.2022.

In view of the compromise effected between the parties, the operation of the impugned order dated 01.08.2017 (Annexure P-5)

shall remain stayed. The petitioners shall surrender before the Trial Court within 07 days from their return to India and subject to a deposit of Rs.50,000/- as costs with the Chandi Kusht Ashram Society, Shiv Ram Mandir (Leprosy Colony), Sector 47, Opp. 3 BRD Gate, Chandigarh, they shall be admitted to interim bail to the satisfaction of the Trial Court. The petitioners shall also surrender their passports to the Trial Court.

Pursuant to the aforementioned order the petitioner surrendered before the trial court and deposited a sum of Rs.50,000/- along with their passports.

It has been brought to the notice of this court that the complaint itself has been withdrawn in view of the settlement between the parties.

Today **CRM-736-2023** has been filed for release of passport of the applicants which have been deposited vide order dated 17.11.2022 passed by this court.

Considering the fact that the complaint itself has been withdrawn pursuant to the settlement between the parties, the present application is allowed and on oral request of the counsel for the petitioners main case is taken up for hearing today itself.

In view of the above, the Trial Court is directed to hand back the passports of the petitioners against proper receipt and identification. Quite apparently since the complaint itself stands withdrawn nothing survives in the present petition and the same is hereby disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 12, 2023
Vinay

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