

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42031-2023

Date of decision :23.11.2023

IQBAL SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Ms. Shubhreet Kaur Saron, Advocate
for the Petitioner.Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab
for respondent No.1.

None for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

On 19.09.2023, the following order was passed:-

“The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the complaint dated 25.03.2006 under Sections 307/148, 149 of the IPC titled as ‘Sarwan Singh Vs. Dilbagh Singh and others’, proclamation proceedings and impugned order dated 19.04.2020 (Annexure P-12) and all consequential proceedings arising therefrom.

The learned counsel for the petitioner contends that initially, an FIR No.80 dated 16.07.2005 under Sections 307, 148, 149 IPC and Sections 25 and 27 of Arms Act, Police Station Harike was registered at the instance of Jaswant Singh father of the petitioner in which the accused came to be convicted vide judgment dated 06.08.2014 (Annexure P-17). Regarding the same occurrence, a cross-complaint came to be instituted against the petitioner and his co-accused. In the said cross-case, some of the co-accused of the petitioner came to be convicted whereas the petitioner was declared a proclaimed offender on 19.04.2010 (Annexure P-12). She states that in the occurrence in question, the petitioner has lost complete vision in his left eye. She further contends that

the petitioner is ready and willing to return back to India and face trial in the complaint case.

Notice of motion for 23.11.2023.

Subject to the petitioner returning to India within a period of 04 weeks, the operation of the impugned order dated 19.04.2010 (Annexure P-12) shall remain stayed.

On return, the petitioner shall surrender before the Trial Court immediately and on a deposit of Rs.1,00,000/- with the Chandi Kusht Ashram Society, Shiv Ram Mandir (Leprosy Colony), Sector 47, Opp. 3 BRD Gate, Chandigarh and his passport with the Trial Court, he shall be admitted to interim bail to the satisfaction of the Trial Court.”

In compliance of the aforementioned order, the petitioner has returned back to India and deposited an amount of Rs.1,00,000/-.

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

However, the Trial Court is directed to conclude the Trial as expeditiously as possible but in any case not later than three months from the next date fixed before it.

In the meantime, the passport shall be retained by the Trial Court subject to the outcome of the Trial.

(JASJIT SINGH BEDI)
JUDGE

23.11.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No